UNITED NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/1990/5/Add.40
23 July 1998

ENGLISH
Original: SPANISH

Substantive session of 1998

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

HONDURAS

[2 April 1998]

TABLE OF CONTENTS

	Paragraphs	Page
SUBSTANTIVE PROVISIONS	1 - 406	3
Article 1	1 - 4	3
Article 2	5 - 6	3
Article 3	7 - 34	4
Articles 4 and 5	35 - 36	7
Article 6	37 - 55	8
Article 7	56 - 91	12

GE.98-17125 (EXT)

TABLE OF CONTENTS (continued)

	Paragraphs	Page
Article 8	92 - 104	16
Article 9	105 - 137	18
Article 11	138 - 199	23
Article 12	200 - 279	32
Articles 13 et 14	280 - 370	45
Article 15	371 - 406	59
Notes		65

SUBSTANTIVE PROVISIONS

Article 1

Principle of self-determination

1. Honduras holds that the right to self-determination is a fundamental human right recognised as such in the International Covenant on Economic, Social and Cultural Rights and in other international instruments.

2. The people of Honduras exercised the right to self-determination in the nineteenth century by means of a process which led to its independence from Spain and to statehood. Consistent with this history, Honduras has supported and supports all international measures to put an end to situations of colonial or foreign rule.

3. In addition, and in conformity with the new doctrinal trends in the United Nations which invest the right to self-determination with a broader meaning than it originally had, Honduras supports the thesis that this right is not exhausted either externally or internally by its initial exercise but must be exercised constantly. Accordingly, Honduras has been carrying out measures to consolidate its exercise of the right to self-determination by seeking to achieve the comprehensive development of its people.

4. This policy has been reflected in the measures to strengthen the democratic machinery to ensure that it embraces the groups currently suffering discrimination as a result of their neglect over several centuries, a situation affecting mainly the indigenous peoples of African origin living in areas remote from the country's urban centres.

Article 2

Principle of non-discrimination

5. Honduras finds itself in the situation described on pages 43 and 44 of the Manual on Human Rights Reporting, which states: "The Committee recognizes that in many instances legislation is highly desirable and in some cases may even be indispensable ...", but the difficulty in legal terms is the effectiveness of such legislation.

6. The State of Honduras takes adequate measures to achieve the gradual development of the people's economic rights. However, it is witnessing a worrying deterioration in the effectiveness of these rights marked by their "regression". It is witnessing in fact the full and telling damage inflicted on the exercise of these rights by the successive "structural adjustments of the economy", which have had a serious impact on purchasing power, especially of the less-advantaged economic groups, as a result of the higher prices of basic consumer goods. In addition, the poor management of the public finances is having its adverse effects on the most vulnerable people - a situation which the State of Honduras is trying to correct by modernizing its public institutions.

Article 1

Equality between women and men

7. By order of the Constitution, men and women are equal before the law and have the same rights and duties; accordingly, the State of Honduras has made great efforts to prevent gender discrimination and has ratified the international agreements on the prevention, punishment and elimination of violence against women and the International Convention on the Elimination of All Forms of Discrimination against Women, thereby undertaking to introduce measures to create laws on the protection of women and abrogate all laws which harm them.

8. Most of the country's legislation does not take the gender concept into account, treating women as if they did not exist; this is due to the low level of participation by women in the enactment of legislation in Honduras, with the result that laws are enacted with a strong unilateral input by men drawn from their view of society as a whole.

9. There are currently three categories of discrimination: (1) laws which discriminate de facto; (2) discrimination in violation of the law; and (3) discrimination as a result of legal vacuums with regard to women.

10. The first category includes those laws which discriminate specifically against women. The second occurs more frequently in the private sector where, for example, the protection of maternity is regarded as a social and economic task of no concern to employers - in violation of the principle of equal pay, for women are assigned a heavy working day without due remuneration; as a result of this situation the Government has introduced a series of secondary laws on the protection of women whose application will depend on the sector in which a woman works (Labour Code, Civil Service Act).

11. The third category of discrimination reflects the fact that no legislation has been introduced to give effect to the principle of equal job opportunities; in addition, domestic service is excluded from the minimum wage regulations and is not governed by any specific rules with regard to rest, wages, working hours and social security.

12. In view of this situation the Legislature has adopted measures to ensure the equality of rights of women, and the small advances made are reflected in various legal texts (Family Code, Criminal Code, Farming Sector Modernization Act, Social Security Act, etc.).

13. The 1991 Farming Sector Modernization Act, for instance, allows women the status of owner (art. 79) and eliminates the gender discrimination found in earlier agrarian reform laws: for example, a woman was entitled to own land only if she was a widow having no partner or sons aged over 16. Today women may legally acquire land on an equal footing with men and farm it so as to generate higher income, through cooperative or associative arrangements for example; women may also conclude contracts of purchase, sale and ownership, including with their common-law husband, and administer their own property and that of the conjugal union; they may be registered as individual entrepreneurs or partners and engage in every kind of commerce.

14. The current Family Code provides that a married woman or common-law wife shall enjoy equal status with men with respect to personal and property rights and must exercise their rights and fulfil their obligations on the same footing of equality.

15. The articles of the Constitution of the Republic concerning women's rights (arts. 111-115) have been amended, and a national Public Prosecutor's Office has been created and is in operation; it has a unit called the Special Women's Office (1994), which is responsible for representing, defending and protecting women victims of any kind of violence, for violence is another scourge currently afflicting Honduran women; the National Human Rights Commission has also been established and in accordance with its Constituent Act it seeks to guarantee men and women equality of rights and opportunities in all areas of life: for the whole country in 1996 the Public Prosecutor's Office received 3,685 reports of offences against women.

16. The Family Councils were created in 1993, under the Ministry of Health, with the principal function of monitoring and ensuring the exercise of human rights in order to prevent violence and provide assistance, protection and support for the victims of physical, mental or sexual violence in the family.

17. On 1 March 1998 the latest amendments to the Criminal Code entered into force: the new texts characterize violence in the family as a separate and specific crime, providing more severe punishment for persons who attack women; sexual harassment is also penalized, and a decree was issued which imposes correctional measures on any person who uses degrading images of women in advertising. In 1991 the National Congress created the Legislative Commission on Women and set it the tasks of suggesting legislative changes to improve the situation of women and of studying the effects of enacted legislation on gender issues.

18. In addition, 1994 saw the establishment of the Women's Office, through which the Government coordinates activities, action plans and policies connected with women; all of this gives some idea of the real concern to integrate women in the National Development Plan by guaranteeing them fair conditions and opportunities on an equal footing with men as one of the means of building a model of society in which the exercise of rights is guaranteed on the basis of gender equality. To date the Office has carried out production projects to generate income in the western and central parts of the country involving groups of women heads of family, and it has also been carrying out training activities on various topics and providing resources for the development of a number of other activities for the benefit of women.

19. The National Congress is currently considering a bill on prevention and punishment of domestic violence (Act on the Prevention, Elimination and Punishment of Domestic Violence against Women) since, as already pointed out, this is another problem affecting women's physical, mental and sexual health. In recent years women have been stepping up their participation in the country's various economic activities and they are likewise tending to spend more years at school. A Collective Against Violence has been formed by 20 women's organizations, there is a Women's Rights Centre, and several NGOs are working in this field.

20. The amendments to the Criminal Code penalize sexual harassment in the workplace (147 A). This constitutes progress, as do the sanctions currently applied against the use of undignified and degrading images of women in advertising.

Participation of women in the political life of the nation

21. It was in 1955 that women were granted the right to vote and to stand for election in Honduras; this led to their joining political parties and opened the way for them to take public office: a women is currently a candidate for the office of President of the Republic; for the first time a woman is acting as Alternate President, and another woman is a candidate for the second time for the same office, which these women may occupy when the President is out of the country; and there are also two women departmental governors, although this figure is not impressive as the country has 18 departments.

22. The Executive is made up of 13 ministries, but only Education is held by a woman, and only five of the 17 posts of deputy minister are held by women (Health, Planning, Finance, Natural Resources, and Government and Justice). No woman holds the post of secretary-general of a ministry, but more women are found at the level of director-general: 42 per cent - double the 1989 figure. Three of the 26 decentralized institutions are headed by women. Thirteen per cent of the 293 municipalities have elected women mayors; this figure represents an increase over the outcome of the previous elections in 1985.

23. Out of the 228 seats in the Legislature, nine women were elected as titular members and 11 as substitutes; only three of the 27 judges of the Supreme Court of Justice are women, and only 19 per cent of the 289 other judges are women; most of the 43 per cent women working in this sector hold auxiliary posts. This situation illustrates the position of most of the women employed in the public sector.

24. Only three of the 30 ambassadors accredited by the Government are women. Honduras has 20 representatives in the Central American Parliament but only six of them are women - one titular member and five substitutes.

25. All this shows that there is no great equality in the political participation of men and women and that women have been involved more at the campaign level than as members of decision-making bodies; the access of women to the highest posts both in the Legislature and in the Executive and Judiciary is still limited.

26. Women have been appointed to important posts in the newly created Public Prosecutor's Office: five of the existing nine special offices are headed by women, and more than 60 per cent of their staff are women.

27. Significant progress has been made in education following the revision of school textbooks, mainly with respect to gender studies designed to identify and eliminate sexual stereotypes and roles in order to help to change cultural patterns. This is the result of studies made by the Ministry of Education.

28. Women's opportunities of work depend on whether they live in an urban or a rural area. Women make up 40 per cent of the economically active population

(EAP) in urban areas but only 22 per cent in rural areas; they work in the services, commercial and industrial sectors.

29. In urban areas one half of the women who work do so in the services sector, which covers domestic workers, informal workers, and professional and technical staff.

30. Almost one in four women in urban areas are employed as domestic workers, work which requires no qualifications and in most cases denies women the possibility of self-improvement and upward mobility.

31. Article 127 of the Constitution states that "everybody shall have the right to work and freely to choose and relinquish his occupation ...". Article 128 goes on to state that "there shall be equal pay for equal work", provided that the job, working hours, level of efficiency, and length of service are also equal. But the reality is that the labour laws are not applied strictly, as can be seen from the considerable wage differentials between the sexes in equivalent jobs; as stated above, domestic service is excluded from the minimum wage regulations, and there are no special rules with regard to rest, wages or working hours: there is in fact a legal vacuum.

32. It is the Government's policy to support the increased recruitment of female labour in the maquiladoras (assembly and finishing plants), in order to alleviate poverty, create jobs and earn foreign exchange; but it must be pointed out that women's labour rights are constantly violated, for they work long hours without due remuneration and do not enjoy the labour conditions required by law; the result is over-exploitation of female labour, in addition to the violence, ill-treatment, birth-control measures, and sexual harassment in the workplace to which they are subjected.

33. Accordingly, action has been taken by the Ministry of Labour to eliminate this kind of violation by punishing employers who fail to respect the rights of their male and female workers as established in the Constitution and by law, and the Ministry is increasing its presence in such businesses in order to ensure compliance with the existing labour legislation.

34. Job-training and job-creation measures are currently being carried out as part of the assistance programmes for women living in poverty and extreme poverty. In addition to these measures the Government is implementing two programmes designed basically to alleviate poverty: the Family Allowances Programme (PRAF), which provides vouchers for single mothers and women heads of family, and is considering job and other vouchers for the elderly; and the Honduras Social Investment Fund (FHIS), which is concerned with the development of activities connected with aspects of health, education and nutrition in the country's poorest communities.

Articles 4 and 5

Limitations on the rights recognized in the Covenant

35. In accordance with the provisions of articles 4 and 5 of the International Covenant on Economic, Social and Cultural Rights, the State of Honduras may subject the rights recognized therein only to such limitations as are determined by law and only in so far as may be compatible with the nature of these rights

and solely for the purpose of promoting the general welfare of society. Honduran legislation is compatible with the provisions and scope of the Covenant, which constitutes an integral part of the country's positive law in accordance with article 16 of its Constitution.

36. At the practical level the Government has taken a number of economic structural adjustment measures which have infringed or diminished in one way or another the rights recognized in the Covenant: the effect has been further to impoverish the already disadvantaged groups; this situation has occurred not only in Honduras but also in other countries of Latin America.

Article 6
Right to work

37. The right to work is recognized in articles 127-141 of the Constitution. The State of Honduras is a signatory of the following international legal instruments on labour matters:

- ILO Employment Policy Convention, 1964 (No. 122);

- ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Levels of employment, underemployment and unemployment

38. The 1995 statistics show that 36 per cent of the EAP in rural areas and 24 per cent in urban areas has some employment problem. In addition, the underemployment rate is 34 per cent in rural and 17 per cent in urban areas; and unemployment is 2 per cent in rural and 7 per cent in urban areas. The high percentage of underemployment means that a great number of workers turn to the informal sector.

39. Open unemployment in Honduras was below 4.2 per cent in October 1995. The problem remains visible underemployment, which means that a high percentage of the EAP receives incomes far below the minimum wage for working very long hours. The situation is more worrying in rural areas. There are no figures on EAP categories suffering some kind of disadvantage by reason of sex, age or religion.

40. The labour market in Honduras has little capacity to absorb the whole of the unemployed labour force, so that access to jobs is more difficult for some population groups, specifically the over-35s and the disabled.

41. People in the first group are among the most vulnerable, for when it comes to choosing a job they have few possibilities, being outside the desired age range of 18 to 35; the disabled are also treated differently because there are no job openings for them in enterprises.

42. However, since 1994 an awareness and promotion campaign has been carried out in enterprises in order to reduce the unfair treatment of these groups and gradually eliminate the discrimination.

43. Frequent visits are made to enterprises in order to find jobs for the disabled, some of whom have in fact been placed; a revolving fund has also been established to provide loans to enable disabled persons to engage in certain income-generating activities, thus providing another work option for them.

44. The following employment policies have been introduced in Honduras:

- To provide incentives for and promote foreign investment to increase the sources of jobs;
- To make enterprises aware that their workforce must be at least 90 per cent Honduran and that Hondurans must account for at least 85 per cent of the total wages bill (art. 11 of the Labour Code);
- To encourage selectivity in the incorporation of technology and, as far as possible, to analyze the various options at the project level in order to maximize the impact on employment by increasing the supply of jobs;
- To offer tax incentives to labour-intensive businesses;
- To improve the qualifications of the EAP in order to make it easier to find jobs, and to develop entrepreneurship in persons working on their own account;
- To carry out projects and establish industrial processing zones in areas of the country which have a high economic potential, where the new urban and alternative production centres will be recipients of planned migratory flows;
- To promote and fund programmes and projects to support productive self-employment and the organization and improvement of small and micro enterprises, rural and urban cooperatives, and employment and production associations whose members come from indigenous and poor population groups;
- To promote and fund programmes and projects for the creation of temporary and seasonal jobs for population groups which are affected by emergency situations or find it difficult to enter the jobs market; and
- To promote and fund programmes to meet basic needs, provided that they are designed to support the country's poorest population groups.

Measures to improve productivity and training

45. Honduras has a training centre designed to improve the levels of production and productivity of the unqualified labour force; this is the National Vocational Training Institute (INFOP), whose purpose is to train Honduran men and women to lead full and productive lives and to change working conditions and the social environment by means of convergent activities

integrated with the national education system which meet its concerns and those of the users of the vocational training services.

46. The vocational training is based on the characteristics and needs of enterprises and of the trainees and it is divided into three sectors: agriculture, industry, and commerce and services.

47. Different modes or modalities of training are used:

- Release from work for part-time training lasting two years and six months, i.e. 700 to 2,000 hours;
- Integrated and comprehensive training;
- Further training lasting 20 to 100 hours for employed and unemployed adults to update their knowledge;
- Training lasting 100 to 600 hours and imparting limited knowledge for adolescents and adults to improve their job performance;
- Pre-vocational training lasting 350 hours and imparting certain common theoretical and practical knowledge;
- CEFEDH training for young people and adults to give them the capacity to be agents and beneficiaries of their own development: one week in the centre and two weeks in the workplace, for two years;
- Information technology courses lasting two to 14 hours for male and female workers holding intermediate posts and for middle and senior management;
- CIER: upgrading the technological development of rural enterprises;
- Further training on a day-release basis lasting 500 to 1,000 hours to consolidate technological knowledge;
- Eight to 50 hours of technical assistance to solve technical problems;
- Two to 24 hours of advisory services: a gradual process in which the adviser and the businessman interact;
- Education for work for male and female workers capable of thinking about their own situation; and
- Training in centres: integrated and comprehensive training in the application of technology; two years in the centre and six months practical training for a total of 1,500 to 3,600 hours.

48. Regional centres have been established in order to develop the training system. The following courses were held in 1966:

Sector	Number of courses
Agriculture	663
Forestry	1
Livestock	241
Fishing	46
Farm administration	-
Commerce and services	98
Personnel management	978
Catering	33
Hotels and tourism	86
Data processing	5
Industry	-
Bricklaying	39
Graphic arts	11
Handicrafts	6
Foodstuffs	44
Carpentry and cabinetmaking	35
Tanning	3
Electricity	30
Plumbing	7
Food production and packaging	22
Metalworking	89
Motor vehicle repairs	85
Baking and confectionary	47
Refrigeration	14
Tailoring	112
Footwear	8

49. It is important to point out that at present the formal secondary education system is making efforts to offer a broad range of opportunities to enable young people to choose other technical careers so as to improve and increase their chances in the jobs market. For this purpose, a programme is being prepared to improve secondary education and correct the problems in the system.

Analysis of the obstacles to full employment

50. Honduras experiences difficulties in securing full employment owing to the restriction of the jobs market resulting from the current critical economic situation. However, efforts are being made to overcome these difficulties, for example the adoption of the maquiladora incentives legislation as a means of generating jobs, and the governmental programme known as the Honduran Social Investment Fund (FHIS), which creates jobs at the community level by means of infrastructure works.

51. There are no exclusions, distinctions or preferences based on race, colour, sex, religion, beliefs, politics or nationality to stand in the way of equality of opportunity. Article 60 of chapter I of title III of the Constitution, on declarations, rights and guarantees, states: "All people are born free and equal in rights. There are no privileged classes in Honduras. All Hondurans are equal before the law.

52. "Any discrimination on the grounds of sex, race or class and any other attack on human dignity shall be subject to punishment. The law shall establish the crimes and specify the punishments to be imposed on violators of this precept."

53. Women are taking an increasing part in production activities, and female workers possess a range of talents which are used by industry, commerce and services. More men than women attended the 2,715 courses held between 1987 and the present: 21,061 against 13,879.

54. Honduras has no exclusions, distinctions or preferences based on race, colour, sex, religion, political beliefs or nationality to stand in the way of equality of opportunity. To enjoy the same protection, foreign nationals must first become legal residents of Honduras.

55. Some labour sectors recognize the right to take more than one job, as in the case of teachers and doctors and some of the liberal professions where services are offered on an hourly basis.

Article 7

Right of everyone to the enjoyment of just and favourable conditions of work

56. The State of Honduras is a signatory of the following international legal instruments on labour matters:

- Equal Remuneration Convention, 1951 (No. 100);
- Weekly Rest (Industry) Convention, 1921 (No. 14);
- Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106); and
- Labour Inspection Convention, 1947 (No. 81).

Methods of fixing wages

57. Article 15 of the Minimum Wages Act, approved by Decree No. 103 of 20 January 1971, provides that, for the purposes of fixing or revising the minimum wage in any economic activity, a Minimum Wage Commission consisting of three representatives of the workers and three representatives of the public interest, with their respective substitutes, shall be appointed.

58. Furthermore, the regulations on the minimum wages commissions approved by the Constitutional President of the Republic on 6 October 1988 amend some of the procedures for the fixing of minimum wages.

59. The Honduran minimum wages system is regulated by article 35 of the Minimum Wages Act of 20 January 1971, which stipulates that minimum wages shall be reviewed at least once every three years, counting from the date of their previous fixing or review.

60. However, at the beginning of 1997 this article was amended by the Sovereign National Congress to require a fixing or revision every year, and if

the inflation index in June shows a cumulative variation of more than 12 per cent a new fixing or review of minimum wages automatically takes place.

61. Minimum wages apply to all economic activities, the only exceptions to this rule being public employees holding posts created by the Constitution, by law, by executive decree or by municipal agreement, as well as managers, administrators and professional staff.

62. Domestic workers in private residences are subject to a special schedule. The regulations do not apply to workers whose earning capacity is affected by their advanced age or by a physical impairment or injury duly verified by the General Wages Office; in accordance with the relevant regulations, such workers are issued with a special permit stating the percentage of the applicable minimum wage which must be paid to them and the period during which such reduced wages may be paid.

63. The 1995 household survey produced the following figures for the employed population for the whole country by occupational category and by sex:

Occupational category	Both sexes	Men	Women
White- and blue-collar public employees	139 515	73 212	66 303
White- and blue-collar private employees	669 088	519 358	149 730
Domestic service	51 581	5 191	56 390
Members of cooperatives	8 272	7 239	1 035
Unpaid family workers	214 953	169 695	45 258
Employer or active partner	76 319	64 155	12 164
Own-account workers	633 778	424 956	208 822
Total	**1 803 508**	**1 263 806**	**539 700**

Minimum Wages Act

64. The legal status of minimum wages and the guarantee that they will not be reduced are established in article 2 of the Minimum Wages Act, which states that the Act is irrevocable and that therefore nobody may be paid salaries or wages lower than the ones fixed in accordance with the Act and that such salaries and wages may not be reduced by an individual or collective agreement or by any other agreement.

65. The minimum wages are determined on the basis of the needs of workers and their families; the reference parameters used for this purpose are the cost of the basic basket of foodstuffs and the consumer price index. Other factors taken into account are the country's economic situation, the financial situation of businesses, conditions and trends in employment, productivity, and changes in the wage structure, as well as other economic factors.

66. As a general rule, in any fixing or revision of minimum wages the commissions try to restore fully the cost of the basic basket of foodstuffs and to take full account of the accumulated inflation index at the date of the negotiation.

67. Once a tripartite minimum wages commission has been established and a new minimum wage fixed, the General Wages Office and the General Labour Inspectorate become responsible for supervising, monitoring and ensuring the payment of the minimum wages. Wage adjustments are retroactive for two years from the date on which the grounds for the adjustment began to have effect.

68. The Labour Ministry, through the General Wages Office and the General Labour Inspectorate, carries out routine monitoring exercises, mainly in the towns of Tegucigalpa and San Pedro Sula, to determine the degree of compliance with the minimum wage regulations; a violation rate of about four per cent was found in 1996.

69. Various studies show that women receive lower wages than men in Honduras. In order to eliminate this wage inequality, in recent years women have been undergoing continual training and have taken more vigorous action to form specific organizations for the protection of their rights.

70. One of the means of securing a more objective valuation of jobs on the basis of the work done is the in-depth technical training provided by the National Vocational Training Institute (INFOP) and other institutions involved in the training of public and private sector employees in Honduras.

71. According to the 1995 household survey, workers receive lower pay in the public sector than in the private sector.

72. Decree No. 131 of 11 January 1982 states, pursuant to chapter V, article 128.6, of the Constitution, the obligation of employers to comply and ensure compliance with the hygiene and health regulations designed to prevent occupational hazards.

73. Decree No. 189 of 19 May 1959, under the heading of Labour Code, deals with the protection of workers in the workplace with respect to hygiene and safety and occupational hazards.

74. Agreement No. 1348 of 4 September 1952 (Agreement and Regulations on Measures to Prevent Occupational Accidents) establishes the obligation of employers to comply with the legislation on prevention of accidents and to introduce preventive measures to diminish the risks inherent in any job.

75. Decree No. 39 of 31 December 1982 establishes the powers and duties of hygiene and safety inspectors with regard to the supervision, monitoring and application of the laws, regulations, agreements, arbitral rulings and any other rules concerning safety and hygiene in the workplace.

76. Agreement No. 367 of 29 November 1983 approves the enabling regulations of Decree No. 39 of 10 May 1982, which expressly establishes the powers and functions of occupational safety and hygiene inspectors.

77. Article 397 of the Labour Code provides that employers who have 10 or more permanent workers must draw up specific hygiene and safety regulations and submit them for review and approval by the Social Security Department, and that such regulations must include all the legal provisions on safety and hygiene and hazard prevention in the workplace.

78. The inspectors, in coordination with other governmental agencies, are directly responsible for supervising, monitoring and applying the laws, regulations, agreements, arbitral rulings and any other rules concerning safety and hygiene in the workplace.

79. If a serious or imminent danger to the health or safety of workers is detected, the safety and hygiene inspectors propose to the Social Security Department the total or partial shutdown of the production processes for as long as the danger persists. The inspectors record in a specific inspection report any dangerous, unsafe or unhealthy conditions or practices found in an inspected enterprise.

80. The procedures are of universal application, except for domestic workers and businesses with fewer than 10 workers.

81. The number of occupational accidents in Honduras in the period 1988-1996 is shown below.

Occupational accidents, 1988-1996

Year	Number of accidents
1988	5 109
1989	6 691
1990	6 787
1991	6 749
1992	4 655
1993	2 334
1994	794
1995	1 874
1996	2 746

Source: Department of Medicine, Hygiene and Occupational Safety, Ministry of Labour and Social Security.

(Note: in 1994 the banana companies submitted no information.)

Actual realization of the principle of equal opportunity for promotion

82. In Honduras the question of equality of opportunity for promotion is dealt with in the collective agreements or contracts concluded between employers and workers and, for public employees, in the Civil Service Act.

83. In addition, chapter VI of the Labour Code, on obligations of employers, establishes in article 95 a register of promotions and other personnel changes, which are decided basically in the light of a worker's aptitude and efficiency and, other things being equal, his length of service in the enterprise. Questions of aptitude and efficiency are determined by discussion between workers and employers or, if no agreement is reached, by the Ministry of Labour and Social Security.

84. In their collective contracts trade union organizations emphasize equality of opportunity for both men and women.

85. Article 128 of the Constitution establishes the right of every worker to holidays with pay, and this right is reaffirmed in article 338 of the current Labour Code. Article 130 of the Code also states that women and minors must have breaks totalling two hours within the regular working day.

86. The right to periodic holidays with pay is established in article 128 of the Constitution and in article 346 of the Labour Code. In addition, according to article 339 of the Labour Code as amended by Decrees Nos. 116 and 275, employees are paid for official holidays, and for working on such days they receive double wages (art. 340 of the Code).

87. In order to ensure that this requirement is met, periodic visits are made to the workplace, both in the central zone and in other places throughout the Republic. The comprehensive inspections identify all the violations indicated above, and inspection reports are submitted with a view to correcting the irregularities found.

88. In March 1998 alone, comprehensive inspections were carried out in 137 enterprises, where 288 male and 410 female workers and two minors were interviewed; 18 enterprises were found to be in violation of the law.

89. Foremost among the factors and difficulties affecting the degree of implementation of these rights is the number of labour inspectors, which is insufficient to meet the national demand. The growth of industrial parks is creating a demand for more workers, and 172 maquiladoras were registered in 1996, providing jobs for some half million workers. At present the central office has 23 labour inspectors and the San Pedro Sula office 15, so that it is impossible to do an effective inspection job; and this does not take into account the new maquiladoras which are being installed.

90. The second problem is the lack of the logistical support needed for immediate action to tackle the enormous number of problems and correct them as quickly as possible. The workers who are excluded from exercise of the rights in question are informal workers and those working for their own account. Workers who provide their services in the construction industry for a specific person without any profit motive are also excluded.

91. Substantial amendments are currently being made to the existing Labour Code, and these exclusions may be corrected as a result.

Article 8

Right to form trade unions

92. The State of Honduras is a signatory of the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), whose ratification was registered on 27 June 1956. It is not a party to the Labour Relations (Public Service) Convention, 1978 (No. 151).

93. The right to form trade unions is not subject to any restriction in Honduras and it is available equally for nationals and foreigners. Every worker

who is of legal age (16 years) and physically capable of working may join a trade union. The Ministry of Labour supervises the right to form trade unions and accords the special protection of the State - the "Trade Union Charter" - to workers seeking to organize.

94. The following are the substantive and formal conditions for founding a trade union in Honduras:

(a) The enterprise must have no fewer than 30 workers wishing to form a trade union;

(b) Ninety per cent of the membership of the trade union must be Honduran;

(c) The members must be aged over 16 (arts. 475 and 476 of the Labour Code).

95. The Labour Code establishes the legal framework for the formation of trade unions in title VII, articles 460-549, but it is the statutes of the unions themselves which address the conditions of membership and the duties and rights of members. Trade unions may establish their own savings and loans schemes for their members.

96. The Labour Code does not impose any restrictions on the exercise of the right of workers to form and join trade unions, and the State of Honduras has ratified the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87).

97. There is no legal impediment to affiliation with international trade union organizations and this matter is not monitored, so that there is full freedom to join any trade union association. Nor is there any legal restriction or practice affecting this right to organize.

98. Furthermore, there are no restrictions on the free functioning of trade unions; they have absolute freedom in this respect (art. 460 of the Labour Code).

99. Measures are currently being introduced to encourage free collective bargaining. In this connection, the central trade union offices in Honduras help local or enterprise-based trade unions with the submission of formal requests to employers for the collective negotiation of working, economic and social conditions. In addition, the Ministry of Labour acts as mediator and conciliator in collective bargaining, with a view to ensuring that the parties conclude collective agreements which are satisfactory both for the workers and for the employers.

<u>The right to strike as a constitutional or legal right</u>

100. Article 128.13 of the Constitution recognizes the right to strike, and articles 550-590 of title VII of the Labour Code regulate the requirements and conditions for exercise of this right.

101. Public employees of the central Government and municipal employees do not have a right to strike. However, governmental employees of the decentralized bodies are organized in trade unions.

102. It must be pointed out that during strikes public servants must provide the necessary personnel to prevent the suspension of the service in question from causing serious damage to the nation's health, safety or economy (art. 555 of the Labour Code). Striking workers in private enterprises must also provide the necessary number of staff for the performance of all the tasks whose interruption would seriously prejudice a resumption of work, the safety or preservation of the workshops or the negotiations (art. 568).

103. No restrictions are imposed on the exercise of the right to strike. No restrictions exist legally, for the Labour Code regulates this right and the requirements for its exercise.

104. There are no restrictions in Honduras on the right of organized workers to call a strike, provided that the provisions of article 562 of the Labour Code are met. The armed forces do not enjoy the right to form trade unions since such action is prohibited by their constituent legislation.

Article 9

Right to social security

105. The Honduran social security system provides cover against the contingencies of illness and accident, maternity and breastfeeding, incapacity due to an occupational hazard, disability, old age and death. A scheme covering the risk of unemployment is envisaged in the Social Security Act, but its implementation is subject to the issue of the relevant regulations. There is also a draft labour code creating a benefit in respect of length of service to be funded by employers' contributions.

106. Dependent workers, civil servants and employees of the decentralized, independent and semi-independent State and municipal agencies, commission agents who carry out orders on behalf of another person for the conduct of commercial activities, and persons working for an employer under an apprenticeship contract are covered by the compulsory social security scheme administered by the Honduran Social Security Institute (IHSS).

107. Civil servants employed in the Executive, employees of the Legislature and Judiciary, and employees of most of the decentralized State agencies are covered by a special scheme administered by the National Retirement and Pensions Institute for Public Employees (INJUPEMP), while elementary and secondary teachers in the private and public sectors are affiliated to the National Teachers' Insurance Institute (IMPREMA).

108. Both of these schemes take the place of IHSS. Workers covered by INJUPEMP and IMPREMA are entitled to old age and disability pensions, as well as to personal loans and mortgages. These workers contribute to IHSS only in respect of the sickness and maternity programmes.

109. In addition, armed forces personnel and journalists have their own social security schemes, which take the place of the schemes administered by IHSS. The

Military Insurance Institute (IPM) provides disability, survivors' and retirement pensions, funeral grants and life and disability insurance for its members. The Journalists' Social Security Institute (IPSP) provides retirement and disability benefits, life insurance, funeral grants and medical/hospital benefits.

110. Employees of the Central Bank and the National Autonomous University of Honduras are affiliated to social security schemes (in addition to IHSS) administered by the institutions themselves. The Central Bank's Social Security Plan was the first scheme of its kind in the country. It provides retirement pensions based on length of service, disability pensions, death benefits, funeral grants and additional payments for services rendered. It also makes housing loans. The University's Social Security Institute (IMPREUNAH) provides retirement pensions based on length of service, disability pensions, members' death benefits, funeral grants and separation grants. Workers affiliated to this scheme are also entitled to personal and housing loans.

Role of the State in social security

111. In accordance with the Constitution, the social security services must be funded and administered by IHSS. However, the State is also required to create social assistance and security institutions to form part of a unified State system funded by the State and the participants. Thus there are other social security institutions, in addition to IHSS, providing principally disability, old age and survivors' benefits to replace and supplement the benefits provided by IHSS.

112. The State has a regulatory, supervisory and administrative role in the social security system. It is thus both operator and controller of the system, a situation which compromises the social security administration's independence from the political authorities (ministers of State are members of the boards of management). Moreover, the direct participation of the State in the management of the administrative agencies obliges it to act as guarantor of the system - to a greater extent than is made necessary by the State's imposition on workers of the obligation to save for social security.

113. The State contributes to the funding of the social security system as such and as an employer. The State's contribution is not earmarked for lower-income members; on the contrary, the present arrangements tend to favour high-income workers. In addition, national resources are being committed to a system which covers less than a third of the population.

114. Expenditure on the various social security schemes operated specifically by the three largest agencies in terms of number of members (IHSS, INJUPEMP and IMPREMA) accounts for about 0.05 per cent of GDP.

115. Domestic workers, home and independent workers, casual and seasonal workers, and farm workers are not subject to compulsory social insurance.

116. The application of the social security system in Honduras is equitable in the entitlements accorded to men and women. The age of qualification for an old age pension is extraordinarily low in INJUPEMP and IMPREMA. Female and male members may take their pension at age 50 or 58 respectively.

117. Since the country's social security schemes are designed for specific population groups such as civil servants, teachers, members of the armed forces, and journalists, cooperation among the schemes has been sporadic and concerned mainly with the management of technical matters.

Definition of the family

118. Under the Honduran legal system, the family is for all legal purposes the group made up of the natural or adoptive parents and of relatives within the fourth degree of consanguinity and second degree of affinity, which exists for the preservation, propagation and development of the human species in all areas of life.

119. Chapter III, article 111, of the Constitution, on social rights, states that "the family, marriage, maternity and childhood shall be protected by the State". It is the duty of the parents to supervise their dependent minor children and to protect them and administer their property. Children may not be separated from their natural family except in the special circumstances specified by law and for the sole purpose of their protection.

120. Except as provided for in the Childhood and Adolescence Code, family relations in general, and parent-child relations in particular, are regulated by the Family Code, article 58 of which states that "the State shall promote the stability of the family and the welfare of its members and provide special assistance services for the poorest families to enable them to meet their obligations under the present Code and other related laws".

121. Article 59 states: "The father and mother or the legal representatives of a child shall endeavour to resolve directly any difference which may arise in connection with his or her living conditions, maintenance, protection and education. If the difference persists, it shall be resolved in accordance with the provisions of the Family Code."

122. Current Honduran legislation establishes several ages at which a person begins to enjoy and exercise certain rights. For example, the age of majority is 21 years; at this age it is understood that a person is fully capable of enjoying and exercising by himself or herself all possible legal rights and fulfilling all duties.

123. Chapter III, article 36, of the Constitution states: "All Hondurans aged over 18 years are citizens". This creates a third category known as minor adults (18-21 years). Article 37 of the Constitution establishes the following rights of citizens: to vote and to stand for election; to be eligible for public office; to associate for the formation of political parties, and to join or leave such parties; and the other rights recognized by the Constitution and by law. Young people aged 12 to 18 are subject to the application of the Minors' Jurisdiction Act if they commit an offence. Children aged under 12 may not be prosecuted. Children aged 14 to 16 have the capacity to conclude work contracts.

124. In agricultural matters, a person aged over 16 who is awarded a plot of land or is a member of an associative enterprise acquires the capacity to

administer the land, pledge it as security and obtain loans on the basis of a title awarded by the National Agrarian Institute.

125. The Commercial Code authorizes a minor to head a commercial enterprise and acquire the legal status of trader, provided that he is emancipated, or empowered or authorized (de facto emancipation), and a minor who does not satisfy any of these requirements or is incapable by reason of age or failure to meet other natural conditions may become a trader by inheritance or donation of a commercial enterprise.

Family assistance and protection

126. Honduras currently has in operation its National Social Welfare Board (JNBS), which is headed by the First Lady of the Nation. JNBS is the administrative institution for the national policy for children, adolescents and the family. It is a semi-independent public-law agency and has legal personality, financial independence and its own assets.

127. It is responsible for the management, guidance and implementation of activities and programmes connected with the provision of protection and social assistance for children and the family; to this end it plans, establishes and maintains centres and institutions for the attainment of its purposes.

128. Social welfare is based on programmes designed to develop and consolidate the family by means of group promotional activities, protect children and secure their welfare by means of assistance centres and group guidance sessions, and develop neighbourhood initiatives by promoting group activities.

129. During the present period of modernization of the State, there is a plan to transform JNBS into the Honduran Institute for Children and the Family in order to provide technically sound services at the lowest possible administrative cost and administer financial transfers and projects for children, adolescents and the family.

Protection of children and young people

130. The Childhood and Adolescence Code contains the following provisions in this connection. Article 114: "It is the duty of the State to formulate policies and design, promote and implement programmes for the gradual abolition of child labour. It shall also establish programmes to support families in which there are children a risk".

131. Article 115 states that work performed by children shall be suited to their age, physical capacity and mental and moral development. The Ministry's labour and social security offices are required to prevent the economic exploitation of children and ensure that they do not engage in dangerous work or work which impedes their education or affects their health or physical or mental development.

132. Children entering the labour force are entitled to receive wages, social benefits and the other benefits accorded by law or by individual or collective contracts to workers aged over 18 and to receive the specific benefits accorded

to them under the Labour Code and the Childhood and Adolescence Code by reason of their age and level of development.

133. The wages of child workers must be proportional to the hours worked. Article 116 also states that child workers shall be accorded special protection in the event of pregnancy or breastfeeding.

134. In addition to being remunerated, work performed by children must also provide training and guidance (art. 117). Work performed by children must not impose any constraint on their development. To this end, close coordination must be maintained between the Ministry's labour and social security offices and the public education system (art. 118).

135. These offices are required by article 133 to issue regulations on:

(a) Administrative sanctions applicable to violations during apprenticeship by apprentices or workers or employers;

(b) The guidance which must be given to child workers, their parents or legal representatives and their employer concerning their rights and duties, working hours, permits and benefits, and occupational health measures; and

(c) The procedures for inspection of child labour and, in general, other matters connected with work performed by children.

136. Article 134 provides that a charge of economic exploitation shall be brought against and a penalty of imprisonment for between three and five years imposed on any person who:

(a) Compels a child to work exceptionally long hours or at night;

(b) Compels a child to work for wages;

(c) Encourages, incites or compels a child to engage in illegal activities such as prostitution, pornography, obscenity and immorality;

(d) Incites or compels a child to engage in other unlawful activities; and

(e) For purposes of family or domestic work violates the children's rights established in the Code. In this case the punishment shall be imposed only if the person concerned persists in the violation after having been required to desist.

137. The age limit for paid work by children in the various occupations is regulated by article 120 of the Childhood and Adolescence Code, which states: "Work permits shall be issued on an individual basis and must specify the maximum working hours and the conditions under which the services are to be provided. In no case shall a child aged under 14 years be authorized to work".

Article 11
Standard of living

138. The standard of living of the population of Honduras will be analyzed in the light of the prevailing situations in education, health, employment and housing.

139. On the whole, there has been considerable but insufficient progress in reducing illiteracy 1/, which fell from 42 to 32 per cent between 1974 and 1988 and was estimated in 1993 at 29.4 per cent. The average length of school attendance for the whole population in 1994 was 4.2 years; it is believed that about 60 per cent of the economically active population (EAP) has less than three years of schooling.

140. Nevertheless, the effectiveness of the efforts to increase the cover and quality of education has been undermined by the high rates of drop-out, repeated years and truancy at the various levels. Another problem in education is the unevenness of the distribution of public expenditure in the sector, which is concentrated on higher education. The budget for higher education, which accounts for three per cent of all students (an average of 41,500) drawn mainly from the middle and upper-middle classes, takes up 18 per cent of the total budget of the Ministry of Education, whereas the primary level, where the cover was 85.2 per cent in 1995 (a total of 1,034,948 pupils) receives only 48 per cent of the total budget.

141. Pupils' health 2/ has undergone continual improvement over the past four years, but problems of access, cover and quality persist, with a high incidence of critical ill health caused mainly by diarrhoea and respiratory infections. Malnutrition and malaria are other serious problems having a severe effect on the human development of the population.

142. The maternal mortality rate is 221 per 100,000 live births, and the infant mortality rate is one of the highest in Latin America at 42 per 1,000 live births, according to the 1994 ENESF. Seventy per cent of deaths are due to acute respiratory infections, diarrhoea and tuberculosis, and the remaining 30 per cent to other causes. The rate of foetal mortality associated with the death of the mother is 33 per cent; a child aged under 12 months dies every four hours, and more than half of these deaths (neonatal and postnatal) are caused by communicable diseases, malnutrition and environmental factors (diseases transmitted by water and other vectors) which could be avoided. It has also been established that infant mortality is three times higher among the children of illiterate mothers. Malaria has been on the increase, with the affected population index rising from 11 per 1,000 in 1993 to 12 in 1995.

143. The environmental health problems 3/ include inadequate food hygiene controls, shortage of water fit for human consumption, and poor domestic sanitation facilities and excreta and rubbish disposal services. The following indicators reflect this situation: 35 per cent of homes do not have a piped drinking water supply; 40 per cent do not have adequate excreta disposal arrangements; and there are other problems of varying severity resulting from the destruction of forests and natural sources of water and from the development methods used in certain areas, which relegate health considerations to second place.

144. The nutritional deficits entail a long-term socio-economic cost for the country, mainly because of the damage caused to the health, physical growth, mental development and learning capacity of young children.

145. The proportion of children found to have low birth-weight in the health facilities of the Ministry of Public Health and IHSS ranged between 7 and 8.7 per cent in the 1980s, but had increased to 11 per cent by 1993.

146. Malnutrition among under-fives increased from 48.6 per cent in 1987 to 52.5 per cent in 1991. According to Health Ministry statistics, 2.1 per cent of infant mortality in 1990 had malnutrition as an associated cause, compared with 0.9 per cent in 1983. This is the result of the poverty afflicting a high percentage of the country's population.

147. Chronic malnutrition measured by the weight/age indicator among children aged six to nine attending the first grade of primary education increased from 38.1 per cent in 1994 to 37.9 per cent in 1996 4/. This problem is most acute in the departments of El Paraíso, Comayagua, Ocotepeque, Copán, Choluteca, Santa Bárbara, La Paz, Lempira and Intibucá. The big differences between urban and rural areas are due mainly to the prevailing rural conditions with respect to education, access to health services, drinking water supply, and disposal of excreta. An annexed table shows the findings of the various school censuses carried out in the period 1986-1995.

148. Another nutritional problem is avitaminosis A, for it is estimated that at present 90 per cent of Honduran families do not consume adequate amounts of vitamin A and that 20 per cent of children under five exhibit symptoms of this deficiency 3/.

149. The access of households to food, consumer goods and services is largely determined by prices and income levels. Over the past five years the consumer price index has risen by 96.6 per cent, with the largest increases for food items. This has had an impact on the cost of the basic basket of foodstuffs, which cost 16.43 lempiras in 1990 and 55.435 lempiras in 1995 5/.

150. The difficulty of access to food is reflected in its low levels of consumption. In 1987 more than 63 per cent of families did not satisfy their energy needs; in other words they were undernourished. In 1994 the figure was 77 per cent, with the largest numbers found in rural families, low-income families, and families living in the western region of the country (Ocotepeque, La Paz, Lempira, Intibucá) 5/.

151. In Honduras the economically active population (EAP) 6/ represents about 35 per cent of the total population. In 1995 there was a total of roughly 1.8 million employed persons, 55 per cent of them living in rural areas. It must be pointed out that the agriculture, forestry, fishing and hunting sector accounts for 38 per cent of total employment, industry (including mining) for 18 per cent, and the services, commerce, transport and construction sector for the remaining 44 per cent. The percentage of the EAP working in the latter sector is increasing, while employment in the primary and secondary sectors is in a downward trend 7/.

Spatial dimension of poverty

152. For the purpose of determining poverty levels in specific geographical areas Honduras produces an analysis of unsatisfied basic needs which uses data from the 1988 national population and housing census. This indicator is composed of six variables: type of housing, number of occupants, quality and accessibility of water, excreta disposal system, access to primary education, and subsistence capacity.

153. These variables produce a classification of municipalities in five groups. The first group contains 57 municipalities with the highest levels of unsatisfied basic needs - between 84 and 62 per cent. The second group contains 32 municipalities with a range between 60 and 51 per cent, and the third group has 64 municipalities in which the deficit ranges between 50 and 41 per cent; the fourth group has 56 municipalities ranging between 40 and 32 per cent, and the fifth group includes 85 municipalities with a range of between 31 and 2 per cent.

154. The five departments with the biggest deficits detected to date are Intibucá, Lempira, Valle, La Paz and Olancho, while Islas de la Bahía, Cortés and Francisco Morazán enjoy better conditions.

Right to adequate food

155. The Honduran approach to the problem of social insecurity is based on the belief that the primary cause is the insufficient and unreliable national supply of food, either home-produced or imported, for domestic consumption. This situation is brought about by a complicated web of factors affecting domestic food production and productivity and by other factors connected with trade. In other words, it is a question of the national supply of food for human consumption.

156. Sufficiency is determined primarily by the per capita supply of energy (Kcal) in relation to the population's average energy requirements. Over the period 1980-1992 there was a slight gradual increase in available per capita calories, and the proportion of energy supplied by vegetable sources was maintained at about 88 per cent. The figures are averages and, given the problems of uneven supply, may be much lower for some population groups.

157. At the family level, the supply depends on the prevailing food system - either the national market or partly production for own consumption. This factor affects the quality of the diet, which is usually more diversified in urban areas and not subject to the seasonal changes of the farming cycle as in rural areas. Storage and conservation methods also affect the family and national food supply.

158. But the people's poor purchasing power when it comes to obtaining the food it needs, i.e. its access to food, is the main problem, more so than the problems of supply and of food and nutritional insecurity; purchasing power is determined principally by income level and the prices of foodstuffs and other basic goods and services. This in turn is determined by the possibilities of working and earning sufficient income to meet basic needs.

159. An analysis of the consumer price index shows that the increases in recent years (1993-1994 and 1994-1995) were 28.9 and 26.8 per cent respectively; under the food heading the increase was bigger for 1993-1994 (35.7 per cent) and smaller for 1994-1995 (22.1 per cent). As already pointed out, the food component of the index affects the cost of the basic basket of foodstuffs, which for a family of five was 10.4 lempiras in 1990-1992 but rose to 34.6 lempiras between 1994 and 1996.

160. The people's level of knowledge and information is an important factor in decisions to produce, purchase and consume specific foods; this is associated with education levels and the people's access to information. In addition, the level of education also influences job opportunities and the demand for services.

161. Lastly, the poor sanitation conditions cause high rates of infectious diseases, which in turn trigger an increase in the nutritional requirements and affect the biological processing of the ingested nutrients. Health and sanitation standards remain low, and this has an effect on the people's food and nutrition security since, as already pointed out, it influences the biological processing of food by individuals, as well as affecting the quality of the ingested food.

Food and nutrition statistics

162. One of the first studies in this area was the nutrition survey carried out by the Nutrition Institute for Central America and Panama (INCAP) in 1966 throughout the region; it produced a paper containing the findings for each country.

163. Another study on the food and nutrition problem was made by the Ministry of Planning, Coordination and Budget (SECPLAN): in conjunction with the Ministry of Education and the Family Allowances Programme it has produced since 1986 annual studies on the height of first-grade pupils as one of the indicators for targeting disadvantaged population groups. The table reproduced below illustrates the findings.

164. In collaboration with INCAP, SECPLAN also carried out surveys on food consumption in 1978-1979; the Ministry of Health carried out a similar study in 1987 and again, with the Agence internationale pour le développement (AID), in 1994.

165. AID also included in the epidemiological surveys carried out by the Health Ministry a component on evaluation of children's growth for the years 1990-1992. A micronutrients survey was carried out by AID and the Ojo Foundation in 1996.

166. It is important to note that NGOs and international agencies are carrying out activities in specific areas in Honduras; they manage their own information systems on a regional basis.

Honduras: percentage growth retardation in children aged 6 to 9

Department	1986	1991	1993	1994	1995
National total	**39.8**	**34.9**	**35.5**	**38.1**	**38.6**
Atlántida	35.4	28.4	30.1	30.4	32.1
Colón	39.6	32.2	31.2	30.0	33.8
Comayagua	45.6	39.1	38.5	41.5	43.4
Copán	55.2	49.7	42.6	56.8	56.1
Cortés	32.7	25.9	30.3	31.1	31.5
Choluteca	35.4	28.2	29.2	36.2	38.3
El Paraíso	40.0	32.5	37.3	49.5	47.4
Francisco Morazán	29.4	24.8	29.2	27.5	28.8
Gracias a Dios	27.8	22.3	21.4	21.0	20.4
Intibucá	60.7	61.9	67.9	62.9	64.4
Islas de la Bahía	10.8	7.2	6.6	8.9	12.3
La Paz	53.0	51.7	51.7	52.2	53.5
Lempira	62.1	61.5	63.9	64.4	60.4
Ocotepeque	48.5	41.6	42.4	41.6	43.5
Olancho	36.7	31.3	30.5	32.6	33.2
Santa Bárbara	56.7	47.7	45.2	48.4	48.7
Valle	32.4	28.6	23.1	31.9	30.2
Yoro	39.3	29.6	32.6	35.3	35.5

Source: First-enrolment height censuses, 1986-1995

Food security policy measures

167. The food and nutrition strategies are designed to achieve a supply of and access to food for the country's population and also to provide food care for groups at risk of chronic malnutrition by means of specific correctional programmes and measures. Food and nutrition security will be addressed through local development and reinforcement of the process of municipalization, always bearing in mind the ecological considerations.

168. The following are the proposals:

- To secure a substantial increase in the food supply which will be sufficient and sustainable over the long term, and to give the population access to the food needed to satisfy its biological needs and enable individuals to develop their physical and mental capacities;
- To give priority attention to the most vulnerable groups in terms of income, geographical marginality and exceptional situations, and to strengthen their food and nutrition security;
- To strengthen food production and production-support services in the short and medium terms: loans, technical assistance, and marketing and production infrastructure;

- To expand the cover and improve the quality of the services: children, pregnant women and nursing mothers are defined as the priority groups;

- To enhance the participation of the population and civil society and persuade them to accept their responsibility for ensuring that the food and nutrition measures are carried out in the household;

- To manage the funds supplied by the international community and friendly Governments for programme execution;

- To carry out measures to expand the addition of micronutrients in the Honduran diet (iodine, vitamin A, fluoride); and

- To reactivate the production centres to make a contribution to the expansion of production activities, thus improving the people's employment and income levels and consequently its welfare standards.

169. Action will have to be taken in the following areas in order to give effect to the food security policy:

- National food supply;

- Food and nutrition security in the home;

- Social compensation and assistance;

- Access to social services;

- Promotion of healthy dietary and living habits; and

- Food safety and hygiene.

Policy changes which have had an adverse effect on access to food

170. In 1990 the Government introduced a structural adjustment programme designed to restore the country's economic situation by improving the efficiency and reducing the size of the public sector and providing incentives for the private sector. In addition, efforts were made to remove barriers to foreign trade and price controls on domestic consumption, to privatize public services and enterprises, and to introduce new incentives to generate greater domestic and foreign investment in Honduras.

171. This programme carried through reforms to reduce the tariffs protecting national industries against international competition and deregulate financial and agricultural transactions. The exchange-rate system was changed, a number of subsidies for basic inputs were removed, and interest rates were allowed to float; this latter measure increased the cost of housing.

172. In the first years of their application the measures had a powerful adverse impact on the population, especially its most vulnerable members, an impact which is still being felt today owing to the general increase in prices, in particular the prices of the goods in the basic basket of foodstuffs.

Inflation is one of the macroeconomic indicators which measures consumer purchasing power: in 1995 it reached a level of 29.5 per cent.

173. The Honduran Social Investment Fund (FHIS) and the Family Allowances Programme (PRAF) were established in order to ease the impact of the adjustment programme. FHIS is concerned with the construction of social and economic infrastructure, and PRAF with nutrition assistance furnished through the distribution of food vouchers; vouchers are also distributed to the elderly; in addition, there are the Bolsón Escolar (school satchel) project for school children and the occupational voucher project for women heads of family.

174. The right of the whole population of Honduras to have all its social demands attended to is recognized. However, the limited availability of financial, material and human resources means that priority must be given to the poorest population groups as determined by socio-economic and cultural criteria.

175. These groups include young children, women, young people and ethnic groups.

176. Young children: according to SECPLAN estimates, in 1996 the population totalled 5.6 million, with a growth rate of 2.8 per cent. It is estimated that by 2000 the population will rise to 6 million. Of this total, 46.8 per cent are aged under 15 and 20 per cent under five, and 50.1 per cent are women.

177. Young children are a priority group and represent a fundamental target of the State's social policy, for they constitute the basis for the country's future development; they must therefore be trained to take up the challenges for which they will be responsible.

178. It is vital to have healthy children with opportunities of access to better standards of education to improve their knowledge and social awareness and enable them to develop a thoughtful outlook and the mental capacity to take decisions in the light of their situation.

179. Since the development of the Honduran people is one of the purposes of State policy, the social training of children must be comprehensive. Accordingly, children and adolescents must be regarded as part of an integrated process.

180. Women: there is a need to incorporate a social policy based on gender equity in the economic, social, political, cultural and environmental strategies in order to ensure that women participate in and benefit from the national development programmes on an equal footing with the rest of the population.

181. If the social policies are to be sustainable, fair and effective - which is the commitment of the Honduran Government - they must address the participation of women and create mechanisms to ensure improvement of the status and situation of women in Honduran society.

182. The conceptual and methodological bases of this approach are contained in the Universal Declaration of Human Rights, the Declarations of Mexico 1975, Copenhagen 1980, and Nairobi 1985, the Programme of Action of the Cairo

International Conference on Population and Development, and the conclusions and Plan of Action of the Fourth World Conference on Women, held in Beijing in 1995.

183. The fundamental premise is that in the Government's policies, especially its social policies, women must be the subject of an integrated approach based on the objective consideration that women and men have specific needs and play different roles in society, with the result that two types of requirement emerge: short-term measures to improve women's socio-economic living conditions as they perform their reproductive functions; and long-term measures, or gender strategies, which are concerned with the improvement of the situation of women at many different levels in order to promote increasingly higher levels of participation and allow women to take decisions in the personal, family and public spheres.

184. Furthermore, since women have historically been subjected to discrimination in society, efforts are being made to establish genuine equality of opportunity and ensure that people are not treated differently on such grounds as their sex. In education, attention is drawn to the persisting illiteracy among women, especially in rural areas. There is widespread discrimination against women through the persistence of social stereotypes reproduced in school textbooks and manifested in educational processes, and there are a number of cultural constraints on addressing the topic of sex education which impede genuine preventive work in connection with reproductive health and the promotion of new relations of equity and mutual respect among young people.

185. Young people: young people generally lack sufficient opportunities for their integrated development. Most of them are marginalized from education, and society does not offer them any alternatives for the creative use of their free time. They also have difficulty in entering the jobs market, a fact reflected in high unemployment rates, especially among young people from low-income homes.

186. In order to meet the specific needs of young people, the Government and civil society will implement intersectoral measures designed to increase their participation in social programmes and offer them opportunities for educational, occupational, cultural and recreational development.

187. The sex education programme and the programmes to prevent drug addiction will give emphasis to the improvement of general and reproductive health and to the prevention of sexually transmitted diseases and AIDS, as well as to the development of healthy lifestyles.

188. Ethnic groups: ethnic groups are another priority: they are divided into eight cultural groups (garífuna, tolupán or xicaque, misquitos, lencas, chortis, tawahkas, pech and Island Negroes) totalling 463,700 inhabitants and accounting for approximately five per cent of the national population. These population groups are generally found in isolated areas with little or no access to social services, with a subsistence economy and with public health problems caused by unhealthy living conditions (lack of basic sanitation; malnutrition; and high incidence of communicable diseases: Chagas's disease, leishmaniasis and tuberculosis).

189. The policy will be aimed at consolidating the rights of the ethnic groups. To this end the Government will give special emphasis to the protection of their cultural identity and preservation of their environment and natural resources. It will also promote measures to enable these groups to take a full part in economic and social life, decision-making, and preservation of their traditional cultures.

Right to housing

190. Article 178 of the Constitution provides that Hondurans have a right to decent housing and that the State must formulate and carry out social housing programmes.

191. Various Governments have in fact carried out such programmes but access to housing is determined by family income, and access to the programmes themselves is difficult because they are reserved mainly for public employees.

192. In these circumstances women heads of household have little possibility of access to housing owing to their traditionally low income levels; it is the men who are responsible for the legal representation of the family.

193. Honduras had a housing deficit 5/ of about 700,000 units in 1995. Of the total of 1.1 million units, 58 per cent are in rural and 42 per cent in urban areas. Only a third of them can be regarded as of an acceptable standard in terms of living conditions: 64 per cent have problems of overcrowding, 33 per cent have no drinking water, and 41 per cent lack sanitation facilities.

194. Current estimates indicate that in rural areas only 16 per cent of housing is of an acceptable standard and that more than 81 per cent of the stock has no direct drinking water service or excreta disposal service, and 60 per cent has no electricity.

195. In addition, the basic infrastructure and community services have serious defects, especially in marginal urban areas and rural areas where there is a widespread shortage of schools, health posts, community centres, bridges, access roads, drinking water, sewerage and waste disposal systems.

196. The accumulation of unsatisfied needs over the years means that a large majority of the Honduran people lives in precarious conditions, with serious levels of overcrowding and promiscuity among a high percentage of the population; this means that a large number of families suffer precarious housing conditions.

197. Given the widespread impoverishment of Honduran society, especially the medium- and low-income groups, it is regarded as essential to tackle the housing problem by providing finished housing, for the high costs put purchase far beyond the means of the target population. This policy has been translated into a number of housing projects conceived from the supply standpoint, but since they do not take into account the real demand they lack a market.

198. It is important to emphasize the difficulties of the housing sector stemming from the contradictions in the legal, institutional and financial framework which impede a clear definition of the roles of institutions and of

the public and private sectors in the search for coherent solutions to the problems.

199. It is estimated that 80 per cent of all the housing proposals produced every year are carried out by the urban and rural informal sector; this offers an alternative means of tackling the problems by taking advantage of the cultural attitudes of the target population: suitable use of local materials, acceptance of community services, use of traditional building methods, family participation, reciprocal help, etc., all of which has been sufficiently documented in successful experiments carried out in Honduras.

Article 12

Standard of physical and mental health

200. The commonest diseases in Honduras are the communicable ones, especially among children, as can be seen from the statistics on the demand for outpatient care, hospital admissions and mortality rates. Malnutrition is another common health problem which lays the ground for other childhood diseases; there are also major problems connected with pregnancy, childbirth and the puerperium (53.8 per cent) 8/.

Morbidity rates by specific cause
(per 100,000 inhabitants)

	1993	1994	1995
ARIs	15 411.2	14 094.2	15 202.8
Diarrhoea	4 453.2	4 980.7	5 050.8
Cholera	77.6	94.9	86.5
Malaria	1 004.7	1 160.9	1 360.9
Poliomyelitis	-	-	-
Measles	0.2	0.1	-
Neonatal tetanus	0.1	0.2	0.1
Tuberculosis	68.5	80.7	91.2
Cardiovascular diseases	99.0	116.6	26.3
Cancer (all types)	64.5	80.7	91.2
Dengue	51.9	88.1	504.5
Diabetes	21.1	30.0	33.3
Mental disturbance	97.4	103.7	102.8

Source: Department of Statistics, Ministry of Health, 1996.

201. However, even in this situation and with the many associated risk factors, infant deaths fell markedly in the period 1990-1994 from 50 to 42 per 1,000; this led in turn to an increase in life expectancy, which together with economic and social factors is causing other health problems to emerge, such as cholera, AIDS, cardiovascular and metabolic diseases, cancer, and violence, and problems connected with the use and abuse of alcohol, tobacco and drugs. The result is a mixed set of the diseases characteristic of underdevelopment and of the chronic degenerative diseases and violence found in industrialized countries, whose treatment requires more complex strategies and technologies.

202. According to recent reports of the World Health Organization (WHO) Honduras occupies 38th place in the world in terms of the incidence of AIDS. It is in the high-seroprevalence category: with barely 17 per cent of the population of Central America it accounts for 57 per cent of the AIDS cases notified in the area. The first cases of AIDS were diagnosed in Honduras in 1985, and the trend has been constantly upward. At the end of 1995 the rate was 14.8 per 100,000 inhabitants. At the end of 1996 a total of 8,306 persons was infected by HIV, the cumulative total of AIDS cases was 5,810, and deaths from AIDS stood at 1,039.

203. Health care is delivered by the public and private subsectors. The public subsector consists of the Ministry of Health (with an estimated cover of 60 per cent and about 4,000 beds), which operates as the provider and regulator of the health system, and the Honduran Social Security Institute, which has an estimated cover of 10 to 12 per cent and about 1,000 beds, and the National Independent Aqueduct and Sewerage Service (SANAA). Health services are also provided by the National Social Welfare Board and the Department of Medicine, Hygiene and Occupational Safety of the Ministry of Labour.

204. The private subsector has some 56 hospitals and more than 1,400 beds, some of which are financed and managed by religious groups. The cover is estimated at about 15 per cent of the population.

205. There is also a large number of private development organizations active in the health field, as well as the Honduran Family Planning Association (ASHONPLAFA), the Breastfeeding League, etc.

206. The network of services of the Ministry of Health provides several levels of care - community, primary, secondary and tertiary - and it is organized into nine health regions, which are in turn divided into a total of 41 health areas.

National health policy

207. The Constitution (Decree No. 131 of 11 January 1982) recognizes the right to health protection in chapter VII, articles 145-150. Universal access to health services and a comprehensive approach to health problems, with the informed participation of the community, is one of the most important aspects of the national health policy. In this connection the municipality is currently recognized as the most suitable geopolitical unit for implementing measures to improve the people's health and living conditions by promoting comprehensive development and preserving the environment.

208. The following are the proposed policies and strategies:

- To secure maximum access to the health services. This approach gives emphasis to the most vulnerable members of the family group and thus concentrates on protecting children, young people and women;

- To secure maximum efficiency in the health system. This means improving the people's health and living conditions (reduction of major problems);

- To enhance the system's social effectiveness. This is to be achieved by targeting resources and rationalizing their use and by launching a frontal attack on corruption;

- To democratize the management of the service networks. This will be done by means of participatory schemes, social monitoring and decentralization/centralization consistent with the national process.

- To strengthen the national coordination among institutions. The purpose here is to maintain the system's unity in the delivery of health services; and

- To reinforce the capacity of the Ministry of Health in order to facilitate the management of the system.

209. Within the specific policies the fundamental aim is to secure maximum access to the health services against a background of the modernization and reform of the system.

210. Honduras has made primary health care part of its national health policy in order to achieve the goal of Health for All. It has given priority to marginalized rural and urban areas and to the most vulnerable groups in terms of sickness and death, i.e. pregnant and breastfeeding women and women of childbearing age in general, children aged under five, and the working population.

211. In 1996 the Ministry's services network had 978 establishments available for implementing this policy and managing the strategies: 28 hospitals, nine mother and child clinics, 214 health posts with a doctor (CESAMO), and 727 rural health posts (CESARES).

212. Six of the 28 hospitals are regarded as national, six regional and 16 local. There has been an increase of 20.5 per cent in the number of establishments since 1992 (when there were 778), most of the new ones being CESARES, and this has facilitated access to this service by the most disadvantaged members of the population.

213. Priority has been given to strengthening the primary care network, especially for mothers and children, by opening mother and child clinics, maternity homes, and community care centres for safe delivery, which supplement the first level of care and invest the community with greater decision-making power. Many of these establishments have been developed on the principle of inter-municipal solidarity, combining local government resources and commitments with those of the Health Ministry.

214. New models of care have also been established in order to increase the cover. These initiatives include the delivery of a basic health package, mobile surgery units, and tours by mobile laboratory and dentistry facilities.

215. It must be pointed out that Honduras recognizes the existing problems of availability of personnel, its composition by occupational category, its underuse and uneven distribution, etc., and in response to these problems it has

taken a number of measures in the search for interinstitutional and multidisciplinary solutions.

216. Measures have also been undertaken with the cooperation of international agencies to reorganize the manpower training programmes as part of the decentralization of local health systems and the sector's other services.

217. In addition, the Ministry of Health has made a great effort to involve communities in the identification and solution of their health problems: it has trained midwives, health workers, health representatives, voluntary workers, litrosol distributors and, more recently, qualified vaccination personnel to support the various health programmes. Nevertheless, the development of this strategy has been impeded by a weak supervisory capacity, the deficiencies of the supply network, and the lack of a formal programme of incentives.

218. Against this background, in 1989 the Health Ministry took a fresh look at the Indigenous and Tribal Peoples Convention, 1957 (No. 169) with a view to giving priority attention to ethnic groups; and in 1995 it created the Ethnic Group Care Unit as a response to the provisions of part V, articles 24 and 25, of the Convention.

219. Social expenditure as a proportion of GDP fluctuated between 7 and 8 per cent between 1990 and 1995 (table 1). In 1995 it took up 7.7 per cent of GDP, slightly below the 1990 level of 7.9 per cent. Health expenditure increased in 1995 to 3 per cent of public expenditure as a proportion of GDP; in earlier years it had been between 2.3 and 2.7 per cent.

Social and health expenditure as proportions of GDP, Honduras, 1990-1995
(millions of current lempiras)

Indicator/year	1990	1991	1992	1993	1994	1995
Social	987.8	1 255.3	1 537.1	1 797.4	2 044.5	2 893.4
Social: GDP (%)	7.9	7.7	8.2	7.9	7.1	7.7
Health	336.2	379.6	454.5	511.3	683.4	1 111.6
Health: social (%)	34.0	30.2	29.6	28.4	33.4	38.4
Health: GDP (%)	2.7	2.3	2.4	2.3	2.4	3.0

Source: Social Cabinet, July 1996: "Social Policy: Social Development and Eradication of Poverty". Government of the Republic of Honduras.

(Note: Education and health expenditure includes FHIS and PRAF funds.)

220. Health has been accorded high priority by the Government, as can be seen from the volume of financial resources assigned to this service in the national budget. However, despite achieving sustained increases since the second Health for All evaluation the cover does not satisfy the demands generated by the country's current stage of epidemiological transition, demands stemming from the increased incidence of the common diseases and the emergence of other health problems, in particular AIDS and cholera, and chronic degenerative diseases.

221. The expenditure allocated for primary health care included funds for the environmental health programmes (including SANAA), health promotion, treatment of communicable diseases, outpatient consultations, investment finance, and purchase of equipment.

222. Total spending under this heading fluctuated between 52.1 and 67.2 per cent of the national health budget in the period 1990-1996.

Spending on primary care as a proportion of the health budget, 1990-1996

Description	1990	1991	1992	1993	1994	1995	1996
Budget	451.1	418.0	491.6	612.5	645.0	1 017.5	1 103.0
Primary care	244.1	256.5	276.3	361.5	336.0	721.6	610.6
Ratio (%)	54.12	61.36	56.20	59.02	52.10	67.29	55.36

Principle health indicators

223. Studies show that the country's statistics system has serious defects, including differing degrees of under-registration in several periods. The available mortality estimates were obtained by indirect methods in a number of surveys since direct estimates underestimate mortality.

Infant mortality rate

Year	Rate	Urban	Rural	Source
1983	78.6	36	59	ESMI 84
1990	50.0			ENESF 1991/1992
1995	42.0			ENESF 1995/1996

224. The infant mortality rate has shown a considerable decline from approximately 80 per 1,000 in the 1980s to 50 per 1,000 at the beginning of the 1990s and to close to 40 per 1,000 in 1995.

225. The marked differences between rural and urban areas are due mainly to the basic sanitation conditions, diet, mothers' poor education, and limited access to health services.

226. Infant mortality varies by area and social stratum, being two and a half times higher among the children of mothers with no schooling than among mothers with six or more years' schooling. Similarly, in places where homes have a piped drinking water supply and sanitation facilities infant mortality is two times lower than in places where water supply and environmental sanitation are more precarious.

227. In 1990 the urban rate was 36 per 1,000 live births and in rural areas 59 per 1,000. Rates of over 60 were recorded in departments with high poverty

levels: Copán (75), Lempira (75), Intibucá (68), Colón (68), El Paraíso (68), Valle (62) and Choluteca (62).

228. The causes of death in infants aged under 12 months were connected with problems in childbirth, prenatal deaths, malnutrition problems (low birth weight), diarrhoea, and acute respiratory infections.

Access to water and excreta disposal services

229. In the period 1991-1996 the national cover for water and sanitation services rose from 68 to 78 per cent and from 63 to 74 per cent respectively. This period saw a much larger rise in rural than in urban areas, indicating that investment is being increasingly targeted on the most vulnerable people.

230. In the period 1990-1995 the incidence of diarrhoea among under-fives fell by 19 per cent (from 28,348.6 to 22,944.8 cases per 100,000), and amongst the population at large it fell by 16 per cent.

231. Despite the upward trend and the higher growth rate in rural areas, major inequalities still persist in terms of area of residence. These inequalities manifest themselves in cover figures of 94 per cent in urban areas for both water and sanitation, as against 63 and 57 per cent respectively in rural areas.

232. The latest cover figures for water services (1996) show that in urban areas the main problem is no longer installation of a water supply but the poor quality and unreliability of the supply. Action to treat water has been fairly limited, consisting mainly of the installation of chlorine disinfection systems.

233. In addition, the cover estimates do not take account of such considerations as quality, reliability, maintenance and depreciation of the systems, and this may result in incomplete estimates. Furthermore, the cover figures studied include two levels of service (according to the standard PAHO/WHO model): piped water supply within the dwelling and the property, and water drawn from a well by electric or manual pump; these two sources are not necessarily equivalent in terms of drinking water supply.

Child immunization

234. In Honduras the expanded immunization programme has been one of the priorities of the health sector and has proved successful, as can be seen from the following table.

Immunization indicators, Honduras, 1996 (%)

Children under one with full vaccination record according to the national rules	91
Children under one with third DPT	93
Children under one with third anti-polio	94
Children under one with BCG	99
Children under one vaccinated against measles	91
Population (high-risk) vaccinated against hepatitis B	66
Women of childbearing age with second tetanus toxoid (TT)	97

Source: Expanded immunization programme, Ministry of Health, Honduras, 1996.

235. The national cover is not homogeneous but the places and municipalities at risk (under 80 per cent cover) have been identified and the vaccination work is being targeted on them through a strengthened and sustained vaccination programme and implementation of special operations for municipalities of difficult geographical access.

236. The high average vaccination cover and the decline in the incidence of diseases preventable by immunization are a reflection of efforts to help the infant population without any distinction as to geographical area, socio-economic group or sex.

237. The participation of the people in the measures, especially in the national vaccination days, has been decisive in the attainment of the objectives; this applies equally to the participation of the community at large, NGOs, private enterprises, mayors' offices, municipal development councils, rotary clubs, the armed forces, the Ministries of Health and Natural Resources, the mass communication media, etc., and to the support provided by external cooperation; all of this is reflected in a number of important achievements:

- Eradication of poliomyelitis: no new cases;
- Control of measles: no cases in 1995 or 1996;
- Control of diphtheria: no cases for 15 years;
- Control of tubercular meningitis in under-15s; and
- Control of neonatal tetanus: almost no cases in 1996.

Life expectancy

238. Honduras does not have a reliable and up-to-date official registry of deaths for use to determine life expectancy; it therefore relies on estimates or

indirect calculations using standard mortality tables based on population censuses and demographic surveys.

239. Up to 1998 Honduras relied on projections based on the latest population census (1988), but the available data on life expectancy at birth are not broken down by specific age groups. The data are generally regarded as reliable and representative of the total population.

Life expectancy (years) by sex, Honduras, 1995

Sex	Life expectancy
Men	65.64
Women	70.55
Total population	68.04

Source: SECPLAN, Population projections for Honduras by sex and age 1988-2050, 1992.

240. The second evaluation (1985-1990) estimated life expectancy at 64 years for the total population, while the third evaluation showed an increase of four years, indicating a considerable ageing of the population, which is being translated into another kind of demand - for solutions to the problems of old age - and is imposing an additional heavy burden on the health services in a context in which the problems of the young population have still not been fully solved.

241. The consolidation of democracy through more effective social participation, the improved access to health services, the manifest increase in the participation of women in tackling the problems of their daily lives, amongst other factors, have helped to achieve a steady improvement in life expectancy despite an apparent deterioration in the people's material living standards.

242. The obsolete structure in which the country's economic activities take place and its unfavourable position in the global economic process, with the consequent more limited development of its productive forces, are major constraints on the national effort to improve life expectancy. However, the major investment in the social sector in recent years, particularly in health, and the more favourable social response in the tackling of health problems, together with democratization and increased social maturity, and the improved access to health services have had a favourable impact on life expectancy.

Population with access to health services

243. The findings of the 1991-1992 ENESF indicate that 60 per cent of families have to travel less than an hour to reach the nearest health facility using the commonest means of transport; 28 per cent need between one and three hours, and 8 per cent three hours or more. According to EISE-93, the proportion of families requiring less than an hour to reach the nearest facility had increased to 68.5 per cent, and the numbers in the other two categories had fallen to 27 and 3.5 per cent respectively.

244. The analyzed information gives some idea of the people's access to health services, although this access is affected by a number of other factors connected with the availability and management of human, financial, physical and material resources.

Percentages of households by travel time (hours) to nearest health facility and by area of residence, 1991 and 1993

Time	Total		Urban		Rural	
	1991	1993	1991	1993	1991	1993
< 1	59.8	68.5	37.5	36.8	22.6	31.6
1 to < 2	19.7	21.9	5.0	5.7	14.6	16.0
2 to < 3	8.4	6.1	0.3	0.1	8.1	6.0
3 or more	8.3	3.4	0.3	0.1	8.0	3.4
No attendance	3.6	-	1.4	-	2.6	-
Others	0.2	0.1	0.1	0.1	0.1	0.0
Total	**100.0**	**100.0**	**44.6**	**42.8**	**56.0**	**57.1**

Source: 1991-1992 ENESF. Survey of Socio-economic Indicators, 1993.

245. Despite the country's commitment to extend the cover of basic health services in marginalized rural and urban areas, it has not yet succeeded in altering the uneven geographical distribution of the public health system's human resources.

246. Sixty-seven per cent of these resources are concentrated in the two main metropolitan health regions, which coincide with the areas of greatest relative development where the country's two main towns, Tegucigalpa and San Pedro Sula, are located.

247. It must be added that, although outpatient facilities have been established to extend the cover of the basic health services at low cost, many of these facilities are not functioning properly and in turn channel an avalanche of patients to the hospitals, particularly the national hospitals, patients who might well have been treated at a lower level. The overcrowding of the hospitals with more advanced facilities leads to increased costs and a deterioration in the treatment available at the lower levels.

248. The full use of the lower-level facilities will require changes in a number of areas, including the supply process, the referral system, consulting hours, social participation, and rotation of substitute personnel, as well as a review of the tariffs of the hospitals with more sophisticated facilities; all of this may help to reduce costs without sacrificing any health benefits.

249. The Ministry's first-level health facility is the rural health post (CESAR) staffed by nursing auxiliaries and health workers; these posts stock about 50 essential medicines but supply difficulties occur at some times of the year in terms of quantity and availability; these difficulties are due in most cases to problems of delivery rather than to non-availability in the Ministry's central warehouse. However, the medicines for the priority programmes are usually available at the CESARs.

Living conditions and geographical access to health services

250. The magnitude of the geographical differences is illustrated by the infant mortality rates: in 1990 the rate for the whole country was 50 per 1,000 live births (43.6 in urban areas) but rural areas exceeded the national average with a rate of 59 per 1,000. However, the differences have been narrowed by the preventive work (e.g. vaccination).

251. The Health Code (Decree No. 65-91 of August 1991) and the amendments to the Code of Administrative Procedure (Decree No. 58 of 30 October 1965) provide the legal basis for the supervisory role of the Ministry of Health.

252. Honduras has historically given priority to the people's health, and the national policy has emphasized the improvement of its access to health services. No policies, laws or practices have been introduced which adversely affect the health of the majority of the population.

253. The health sector is currently developing the National Health Services Access Process, which is being supported, in addition to funds from the national budget, by international cooperation projects (ASDI, USAID, UNICEF, PAHO, etc.). This process is enhancing the capacity both of institutional personnel and of municipal and local government to identify and tackle their problems of health and living conditions. The technical and financial cooperation received from various sources is being decentralized in order to facilitate access, especially for the most vulnerable groups.

254. The aim is to promote a culture of analysing health situations in order to identify and target measures to improve the health and living conditions of the population, using the municipality as the most suitable geopolitical unit for the implementation of such measures; this access process is being facilitated by the modernization of the State, where the strategy of decentralization and municipal development has made some of the best progress.

255. The proposed targets are compatible with the targets of Health for All:

- Reduction of infant mortality and of the differentials in infant mortality rates due to different levels of development;
- Reduction of maternal mortality and of the differentials in maternal mortality rates due to different levels of development; and
- Increase in the cover of the health services by 15 per cent in the period 1995-1996.

256. Honduras has currently established 31 health areas covering 216 of the 297 municipalities (73 per cent) with a population of 4,590,411 (78 per cent of the total population); projects to support the access process have been implemented in order to promote measures to improve the people's health and living conditions; by June 1997 the 41 health areas covering every one of the country's 297 municipalities should have been in operation.

257. To date 210 municipal health plans have been prepared and are being implemented as part of the access process, providing multisectoral responses and

integrated approaches which have improved the social participation; strategies have also been drawn up to adapt the services network and human resources development to local development needs.

258. The access process is based on the Municipalities Act (Decree No. 134/90 of 29 October 1990). On 24 July 1990 the National Congress approved the Convention on the Rights of the Child as a law of the Republic. This Convention echoes the political will of the authorities and the people of every municipality in Honduras to provide their children with appropriate conditions for their development and thus to prepare the way for a bright future for the country. Targets indicators have been set for child health, maternal health, nutrition, basic sanitation, etc., and the Convention is used as a guide in the fulfilment of the commitments made by municipal mayors.

259. This approach has enabled a start to be made on the co-management of certain services such as mother and child clinics, the evaluation of a number of hospitals in conjunction with the community, the creation or consolidation of the municipal development councils (CODEM) and the community development and promotion councils, and the involvement of women and of ethnic groups on the basis of respect for their cultural conditions. The problems which will have to be overcome have also been identified, for example relations with the information system, the integration of the services network, coordination with IHSS, and the commitment of other local actors.

260. The Ministry of Health has given priority to the mother and child health programmes; the national efforts are based on comprehensive care for children and for reproductive health, including as strategic policies the monitoring of children's growth and development, diet (breastfeeding and food supplements), vaccinations, micronutrient supplements, management of common diseases (acute respiratory infections, diarrhoea, etc.), and of oral and mental health in a framework of interaction between the community and the health services; all of this is intended to reduce the infant and maternal mortality rates.

261. In addition, many of the Government's social assistance measures are intended to benefit children and mothers directly or indirectly: for example, the mother and child vouchers issued under the Family Allowances Programme (PRAF) and the activities of the Honduran Social Investment Fund (FHIS), the National Social Welfare Board (JNBS), and the many NGOs working in this field.

262. The measures to improve environmental and industrial hygiene include recent public initiatives which relate health to the environment and promote regional integration by means of conferences (Environment and Health (ECOSAL)) and the regional environment and health investment plan (PIAS). This plan for environmental protection and the provision and monitoring of health care created an investment fund of 217 million dollars for the period 1992-2004 for the Latin American and Caribbean region.

263. The Centre for Study and Control of Pollutants (CESCCO) was established in 1986 under the Health Ministry with funds provided jointly by the Governments of Honduras and Switzerland and by PAHO. The aim is to develop an administrative and research structure for the study and control of pollutants; consolidation and self-financing are programmed for phase III (1992-1996).

264. Micronutrient promotion and management committees have been set up, together with boards to manage multi-community watersheds, promoted by SERENAM, the Health Ministry, SANAA, COTIAS, the CALAGUA cooperation group, and SINFASH.

265. Honduras is a member of regional associations and committees such as CAPRE, AIDIS and PROAGUA, bodies created to improve sanitation standards in member countries.

266. The Environment Ministry (SEDA) was created in 1993 to apply the General Environment Act, formulate policies, and coordinate environmental activities in Honduras with other institutions such as the Ministry of Natural Resources (SANAA) and international cooperation agencies. This Ministry applies regulations on the assessment of the environmental impact of development projects.

267. The Honduras environmental development project funded by the World Bank is designed to build up institutional capacity and support municipal projects. SEDA also collaborates with SANAA, the Municipal Water Division (DIMA), the Health Ministry and PAHO in determining regulations on drinking water and on sewage disposal.

268. The functions of the Environment Ministry have now been transferred to the Ministry of Natural Resources and Environment, which has been implementing through the environmental development project technical assistance programmes for local environmental management in 20 municipalities; the aim is to identify environmental problems and improve environmental protection by creating municipal environment units capable of managing investment projects in this field.

269. In addition, regulations on the control of gas and particle emissions from motor vehicles is at the proposal stage, in compliance with the provisions of the Health Code, and lead-free petrol has been imported and distributed in Honduras since 1996. These measures are incorporated in the General Environment Act (Decree No. 104-93 of 27 May 1993).

Governmental measures to provide health care for the elderly

270. Articles 117-142 of the Constitution are concerned with special protection for the elderly. In Honduras the National Retirement and Pensions Institute for Public Employees (INJUPEMP), the National Teachers' Insurance Institute (IMPREMA) and other public and private institutions provide services for this population group.

271. Old people enrolled in private health schemes enjoy a 25 per cent discount on medical treatment and a 10 per cent discount on purchases of medicines, subject to proof of identity; they also receive discounts on other services that they require.

272. In the current National Health Services Access Process the social participation strategy has secured major advances towards democratization of health services and social control of their management. The municipal health plans which have been formulated call for broad participation by the community, NGOs and the different sectors represented in each area, participation based on

an analysis of the people's health situation in terms of living conditions. These municipal plans are constantly monitored both by the personnel of the health institutions and by the other agencies involved in the community.

273. In coordination with the other technical standard-setting units and disease prevention and control programmes, the Education for Health Division approves, designs and executes communication measures aimed at the population at large and at risk groups through the mass communication media. It also works with the Ministry of Education in promoting good health and tackling specific problems (sexual relations, sexually transmitted diseases, AIDS, etc.) at the various levels of education administered by the Ministry (on the basis of an agreement on technical cooperation for education for health concluded between the Ministries of Education and Health).

274. The Human Resources Division takes part in the formulation and adaptation of undergraduate and postgraduate programmes and curricula in health-related subjects. The strategy of social participation pursued in the access process includes an education component both for health personnel and for the community at large concerning the health problems of the municipality or health area or region.

275. The following table shows the contribution of international cooperation to the sector for 1989-1994.

Year	Multilateral	Bilateral	NGOs	Total
1989	18.5	57.7	23.8	100
1990	18.8	80.2	1.0	100
1991	26.9	62.8	10.3	100
1992	31.2	57.2	11.5	100
1993	12.6	69.4	0.7	100
1994	31.9	66.2	1.9	100
Total	27.0	66.2	6.8	100

Source: Study on international cooperation on health matters, PAHO/WHO, Honduras, 1996.

276. For Honduras the biggest bilateral donor (bilateral donors provide 53.3 per cent of total international cooperation for health) is the United States (45.2 per cent); however, United States aid has been declining since 1990 and is being replaced by financial institutions such as the Inter-American Development Bank (IDB) and the World Bank. For example, in 1992 the biggest bilateral donors (in millions of dollars) were: United States (38.4), Italy (37.4), Japan (19.4), Canada (9), Netherlands (6), Germany (4), and Switzerland (2.6). The United Nations system, the World Bank and IDB also made major contributions in 1992.

277. An Inter-Agency Cooperation Committee on Health Matters (CCIS) was established by Agreement No. 0041 (1995) in order to coordinate the international collaboration for the development of health services in Honduras; PAHO/WHO acts as secretariat of this Committee.

278. However, obstacles to the improvement of international cooperation persist, such as the scant interinstitutional coordination and weak programme and project negotiation and management capacity.

279. At present external cooperation is giving greater emphasis to local development through the decentralization of resources to the local, area and regional health services.

Articles 13 and 14

Right to education

280. The school cover figures are increasing in Honduras year by year. In 1996 the preschool cover was 33.4 per cent and the net primary rate was 94.8 per cent with repeated years and 85 per cent without repeated years.

281. Despite the rapid increase in its attendance figures, secondary education still has a low cover (32 per cent) and a very high degree of learning on the job by untrained teachers (68 per cent). Higher education has shown considerable growth in student numbers over the past decade but today, despite the higher education reforms, it is delivering its lowest output in scientific subjects.

282. The illiteracy rate among people aged 16 and over fell from 32 per cent in 1988 to 28.5 per cent in 1996, i.e. by roughly 3.5 per cent over that period. The proportion of illiterates in rural areas fell sharply from 47 to 28 per cent in the same period. In urban areas the decline was from 19 to 11 per cent.

Illiteracy among people aged 16 and over, 1988-1994

Area/period	1988			1994		
	Male	Female	Total	Male	Female	Total
Urban	17.5	20.4	19.1	9.4	12.0	10.8
Rural	45.9	48.3	47.1	27.5	28.3	27.9
National	34.5	34.3	35.0	19.6	20.5	20.1

283. As can be seen, during this period male and female illiteracy fell from 34.5 to 19.6 per cent and from 34.3 to 20.5 per cent respectively. In urban areas the male illiteracy rate fell from 17 to 9.4 per cent and the female rate from 20 to 12 per cent. In rural areas the decline was more marked among females, from 48 to 28.3 per cent, while the male rate fell from 46 to 27.5 per cent. The average duration of schooling increased to 4.3 years nationally, by 5.7 per cent in urban and 3.2 per cent in rural areas.

Efforts to improve the quality of education

284. As its general strategy to be implemented over coming years Honduras envisages a 10-year education plan which will address the various measures to be introduced; these measures include, for example, improvement of the quality and cover of preschool education, nine grades of elementary education, alternative

forms of education for young people and adults, consolidation of the decentralization of the education system, maintenance of the improvement programmes at the primary level and introduction of new options for secondary education at the national level.

285. Accordingly, the Honduran education system is making efforts to respond to the requirements of the country's socio-economic development by training the human resources needed by society and by establishing quality as a fundamental element in the production of human resources who can play an effective part in the nation's production processes.

286. The past decade, in particular the period 1990-1994, has seen the creation of an education modernization programme as part of the project to modernize the State. These are the main features of this programme:

- It is based on the principle of "knowing and doing";
- It is humanist and addresses the human being as a biological, historical, social and spiritual whole;
- It operates country-wide, being designed as an education policy project of national scope;
- It is pluralist, encouraging freedom of speech, teaching and research;
- It is both theoretical and practical and links the curriculum to life and the family;
- It is a transforming force, striving for the highest possible quality in national education; and
- It is up-to-date and forward-looking, reaching beyond the traditional curriculum.

287. This model has objectives connected with the various aspects of the personality and uses innovative technical methods and participatory activities, encouraging research as a fundamental element in this process. In short, in this context the teacher is a facilitator and the pupil a subject of learning. A proposal has been prepared for the introduction of this model in the form of a block of seven programmes and more than 30 sectoral and subsectoral projects, including the identification and ranking of strategic activities for the development of the education sector over a 10-year period.

288. These projects offer an alternative to global treatment of education problems and are identified separately for each different level. Another option - the "Escuela Morazánica" - emerged in 1994; this is conceived as a model of convergent education based on quality, equity and linkage with productive work.

289. The Escuela Morazánica seeks to establish a new educational model which will make a significant contribution to the country's socio-economic development; this model is not a product of the education modernization

programme or a version of it but it does inccrporate important elements from that programme.

290. The following are some of the projects envisaged by the modernization programme which have been taken up by the current Education Ministry authorities: improvement of the quality of education; institutional improvement of the Education Ministry (previously known as restructuring); rationalization of teacher training; and transformation of the curriculum (previously known as curriculum adaptation).

291. Despite the importance that any society will accord to education, there is no consensus on the volume of the resources which the State should allocate to this sector every year. Nor do the international statistics throw any clear light on this point.

292. For example, there is no significant correlation between per capita GDP and the volume of resources which the public sector allocates to education measured as a proportion of GDP.

293. The Honduran Government allocates a large part of its budget to fund education because it regards education as an investment in the future of individuals and society. Expenditure on education helps to improve the productivity of individuals and their quality of life. It also stimulates socio-economic development by improving skills, knowledge and capacity for productive work, as well as facilitating participation in democratic processes and civic collaboration. It also benefits the whole of society by enhancing the capacity to use appropriate technology, enriching public life and culture and, in particular, reducing social, economic and gender inequalities.

294. Research has shown that, in Honduras in 1996, 4.7 per cent of GDP was allocated as public expenditure on education (a total of 2,221.4 million lempiras).

295. Of the budget implemented in 1996, 85.5 per cent consisted of funds from the central Government, i.e. provided by taxes; 9.2 per cent were external resources (loans and grants); 1.5 per cent was paid by families to education institutions; and 3.9 per cent consisted of contributions from business. Of the Government's total contribution, 77 per cent is spent directly by the Ministry of Education and 18.5 per cent by public higher education institutions (National Autonomous University (UNAH) and Francisco Morazán National Teacher Training University (UNPFM)); the governmental funds for these two institutions are channelled through the Education Ministry budget.

296. Eighty per cent of the external resources are channelled through FHIS and PRAF and only 15 per cent through the Education Ministry budget. Historically education spending has accounted for more than half of social expenditure, fluctuating around 54 per cent in recent years, i.e. between 3.3 and 4.8 per cent of GDP.

297. The figures for expenditure by education level in the period 1980-1989 show that primary education absorbed an average of 48 per cent of total resources, while higher education (UNAH and UNPFM), secondary education, and

technical and adult education received 19.6, 12.8 and 0.7 per cent respectively in the same period.

298. The period 1990-1995 saw an increase in education spending as a proportion of central Government spending from 16.4 per cent in 1990 to 18.5 per cent in 1995. Primary education has traditionally received more funds, accounting for 48 per cent of the Education Ministry budget. Spending on primary education in 1995 fell to 651.4 million lempiras, as against the 654.8 million spent in 1990 and the 676 million spent in 1993. The proportion of expenditure on primary education in relation to real social expenditure showed the same behaviour (increasing up to 1993 and declining in 1994, but maintained at 28.1 per cent in 1995).

299. In the period 1990-1995 enrolment in primary education increased from 889,346 to 1,008,092, an annual average growth rate of 2.6 per cent; in contrast to the higher enrolment, expenditure per pupil by the Ministry of Education fell in the same period from 791.4 lempiras in 1990 to 670.3 in 1995.

300. If FHIS and PRAF are included, expenditure per pupil rises to 825.4 lempiras in 1990 and to 1,025.1 in 1993, but falls to 830.3 in 1995 - virtually to its 1990 level.

301. In addition to all this, the problems of repeated years and drop-outs cost the Honduran State an annual total of approximately 131.4 million lempiras ($13.9 million), which represents roughly 20 per cent of the primary education budget.

Preschool education

302. Preschool education was initiated in Honduras in 1907 with the founding of the Escuela para Párvulos (infants school). It was not until 1953 that it was recognized as a level of education by presidential decree, and the Preschool Section was created in 1983.

303. At present preschool education is offered in the "formal" and "informal" modes and is not compulsory. It includes kindergartens and the so-called preparatory grade, a limited innovation dating from 1993 when the current curriculum was introduced.

304. Preschool education plays an important role in children's early lives by enabling them to develop properly in their social and school environments. The State has made an effort to expand this level, but deficits of cover and enrolment persist.

305. In the Honduran education system the preschool level caters mainly for the four-to-six age group; it uses formal and informal modes and is provided by public and private institutions.

306. The formal mode currently caters for 16 per cent of the age group, providing half of the total cover at this level. It is offered by institutions of the Ministries of Education and Labour and Social Security and by the National Social Welfare Board (JNBS) and private institutions; it has three cycles (prekinder, kinder and preparatory), each one lasting 10 months.

307. The informal mode is offered by informal preschool education centres (CEPENF) in rural and marginalized urban areas, and by community starter schools (CCIE) in rural areas. The main purpose of the CEPENFs, which were initiated in 1979, is to train children aged 5½ to 6½ and prepare them to enter the primary level. These centres are supported by external cooperation (UNICEF and USAID) and by community organizations, which provide voluntary leaders trained by the Ministry of Education. In 1992, 228 centres catered for 14,136 children, who also received school meals consisting of vitaminized milk and soya and wheat products.

308. The CCIEs, which were initiated in 1990, offer a period of school training of 2½ months for children about to enter the first primary grade.

309. In addition to the funding provided by external cooperation (mainly UNICEF and USAID), the CCIEs receive contributions from the community. The instruction is provided by community volunteers and students from the teacher training schools.

310. There are also early-stimulation programmes for under-threes, such as the ones run by JNBS and the National Children's Foundation (PANI), which in 1992 provided various education services with active community participation for a total of about 70,000 children.

311. The available data show that from the beginning of the past decade (1980-1989) the formal preschool cover (public and private) remained virtually unchanged at 11 per cent, with an annual increase of 3,729 pupils and a growth rate of 5.9 per cent. An average of 84.1 per cent of the enrolment was in urban areas, while rural areas achieved only 15.9 per cent. On average, the public administration provided 78 per cent of the total cover, and private institutions 22 per cent. In 1990 the formal preschool level had a cover of 12.6 per cent (56,692 children), 81.4 per cent in urban and 18.6 per cent in rural areas. In 1991 this enrolment increased to 13.2 per cent (60,137) and in 1992 to 13 per cent (63,574), with an average distribution of 80 per cent in urban and 20 per cent in rural areas. The increased cover in the period 1990-1992 signifies an average growth rate of 3.9 per cent, somewhat higher than the population growth rate of 2.8 per cent.

312. It must be pointed out that from 1985 enrolment in private institutions, which had accounted for 22 per cent of the cover in the 1980s, began gradually to increase. It accounted for 23.2 per cent in 1985 and rose to 26.2 per cent in 1990 and 27.4 per cent in 1992, while the public services provided by the Ministries of Education and Labour and Social Security and by JNBS fell slightly from 72.8 per cent in 1985 to 72.6 per cent in 1992.

313. Over the past decade enrolment in informal preschool education has been available exclusively through the CEPENFs, which catered for barely 2.4 per cent of six-year-olds (9,000 to 10,000 children). CEPENF enrolment showed a slight increase in 1990 to 2.7 per cent (12,261). There were also slight increases in 1991 and 1992, when the cover was 3 and 3.9 per cent respectively (13,609 and 17,999), representing an annual growth rate of 21 per cent in the period 1990-1992.

314. When the services provided by the CCIEs are included, the numbers for this mode increase significantly. In 1990/91, 1991/92 and 1992/93 the CCIEs enrolled 9,673, 24,491 and 36,487 children, which represents a cover of 2.2, 5.45 and 7.9 per cent respectively, i.e. an average annual growth rate of 94 per cent.

315. If the target of 28 per cent cover in preschool education was to have been attained in 1995, 137,151 children would have to have been enrolled, at an average growth rate of 7.9 per cent in 1993 and 1994.

316. Since the growth rate for enrolment in this mode averaged 22.6 per cent between 1990 and 1992, there should be no difficulty in attaining and exceeding the established target of 14.7 per cent. If the services provided by the CCIEs are not included as cover, the enrolment growth rate falls to 8.8. per cent a year, an increase which is also sufficient to achieve the target set in the National Action Plan.

317. The targets for this level should therefore be more ambitious and, as far as possible, broken down into formal and informal modes and further broken down in the informal mode for CEPENFs and CCIEs. However, while retaining the positive aspects of the CEPENFs and CCIEs, it is necessary to formulate a national programme for extension of the cover and improvement of the quality of preschool education, which must be properly coordinated with the primary level.

318. Preschool education does not have a separate budget line in the financial programming for the education sector, and this makes it difficult to calculate the average cost per child and thus estimate the total annual budget needed for attainment of the targets.

319. However, on the basis that one child's preschool education costs 80 per cent of the cost of one primary pupil (about $97.8), the cost of achieving the proposed target by means of formal public cover and cover provided by the CEPENFs would be about $8.2 million a year, i.e. $24.6 million for the period 1993-1995; these figures exclude the 25 per cent of the enrolment accounted for by the private sector in the formal mode; on the basis that the target of 28 per cent cover will be achieved with the CCIE contribution, maintained at the same proportion as in 1992, the average cost per year and the cost for the period fall to $5.9 million and $17.7 million, for the incremental cost for a CCIE pupil is barely five dollars.

320. The project on the improvement of elementary education assumed the responsibility for funding the CCIEs from 1995 up to a maximum of 3,520 units countrywide, while also expanding and improving the quality of this education service. For this purpose the project has selected communities which have no preschool education facilities on the basis of the criteria of the biggest repeat and drop-out rates in the first grade and a high malnutrition index. The envisaged support for these centres includes training activities, provision of teaching materials, supervision, and allowances for volunteers.

321. The volunteers are aged between 16 and 20, and the sample showed 64 per cent trainee teachers and 36 per cent housewives, farm workers, shopkeepers, weavers and secretaries (9 per cent had not completed their primary education).

322. A total of 1,621 kindergartens was registered in 1990; 74 per cent of them were in urban areas and accounted for 81 per cent of the total enrolment. This ratio has not undergone any major changes over the past three five-year periods. Twenty-eight per cent of the kindergartens are private and account for 21 per cent of the enrolment at this level; these percentages have been recorded for the past five years. Enrolment in private kindergartens tripled between 1980 and 1996, while enrolment in public kindergartens more than tripled.

323. In 1996 kindergartens accounted for 52 per cent of the enrolment, distributed evenly between girls and boys (50.4 and 49.6 per cent respectively). The distribution of enrolment by cycle has undergone a marked change, as can be seen from the following table.

Kindergartens: initial registration by cycle, 1980, 1986, 1996

Year	Prekinder		Kinder		Preparatory	
	Enrolment	%	Enrolment	%	Enrolment	%
1980	9 751	30	13 235	40	10 048	30
1986	13 050	25	21 823	40	18 724	35
1996	6 421	8	28 983	36	45 055	56

Primary education

324. Chapter VIII, articles 153, 154 and 157, of the Constitution provide that the State has an obligation to attend to children's elementary education and to create for this purpose the necessary administrative and technical bodies, to eradicate illiteracy and certify, organize, administer and supervise all the levels of the education system.

325. Formal primary education is offered in two modes: the first for children aged 6 to 13 and consisting of six grades; and the second for adults aged 14 or over, which has four levels with recognized equivalency for horizontal transfers.

326. More than 50 per cent of the public education budget is allocated to primary education. Approximately 94.6 per cent of the total school enrolment is in primary, which has the highest cover of the whole national education system.

327. According to the school census carried out at the end of 1995, the enrolment figure stood at 986,442. In 1996 some 153,000 children aged 7 to 13 were not enrolled at the primary level. In 2000 the estimated enrolment figure will be 1,123,138, equivalent to an average annual growth of 4.8 per cent. The trend of the cover indicators (gross and net) indicates that the education system is continuing to expand to include children for whom education had not previously been available.

Enrolment growth rate and forecasts for 2000
by area, type of school and sex

Variable	Growth	1996	1997	1998	1999	2000
Public	2.1	971 963	992 374	1 013 213	1 034 490	1 056 214
Private	2.5	60 632	62 147	63 700	65 292	66 924
Urban	1.5	398 284	404 258	410 321	416 475	422 722
Rural	2.5	634 311	650 263	666 592	683 307	700 416
Boys	2.1	517 812	528 413	539 231	550 271	561 538
Girls	2.2	514 783	526 108	537 682	549 511	561 600
Total	2.2	1 032 595	1 054 521	1 076 913	1 099 782	1 123 138

Source: Ministry of Education.

328. Honduras has made steady progress in the present decade with respect to enrolment and retention in the primary level and has achieved a slight reduction in its high repeat, drop-out and failure rates. The 1990 cover of 85 per cent increased to 85.5 per cent in 1992 and 89.7 per cent in 1995.

329. The national cover for the 7-13 age group increased at an annual rate of 0.3 per cent in the period 1990-1992; the enrolment was 60 per cent in urban and 40 per cent in rural areas and predominantly in the public sector, which accounted for 94.75 per cent, as against 5.25 per cent in the private sector.

330. According to the figures of the school census carried out at the end of 1995, primary education for children had a net cover of 86.5 per cent of the population aged 7 to 13, for a total of 986,442 pupils: 50.5 per cent boys and 49.5 per cent girls, and 39.6 per cent in urban and 60.4 per cent in rural areas.

331. The repeats and drop-outs at the primary level are attributable to school and non-school factors. In rural areas children of school age take part in the farm work, and at harvest time this can cause them to neglect their studies for up to three months and in some cases for the rest of the year.

332. The national repeat and drop-out rates have fallen in recent years, producing an improvement in the graduation efficiency rate from 21 per cent in 1990 to 26 per cent in 1993 and 29 per cent in 1996; a similar improvement was found in the time taken to graduate, which was 10.2 years in 1990 but fell to 9.12 years in 1996.

333. The drop-out rate in rural areas fell from 5.2 per cent in 1990 to 3.8 per cent in 1996. The opposite happened in urban areas, where the rate doubled from 1.5 per cent in 1990 to 2.9 per cent in 1996; this may have been caused by migration and the people's economic situation.

334. Throughout the 1980s the drop-out rate in public schools remained steady at about 5 per cent, with private schools showing a rate of 3.6 per cent. In the period 1990-1996 this figure fell to 3.6 per cent in public and 1.6 per cent in private schools. The inter-annual drop-out figures show that 46.8 per cent of every 1,000 pupils enroling in the first grade dropped out.

335. A comparison of the drop-out indicator with the gross cover indicators shows that a high percentage of children aged 7 to 13 began at least one grade of schooling and then dropped out. If such children return to school, they will be over-age for their grade or attending an adult literacy unit.

336. Estimates indicate that only 360 of every 1,000 pupils who enrol complete their primary eduction in six years, 235 in seven, 94 in eight, and 30 in nine; the remaining 281 do not complete the primary level. In rural areas, 136 out of every 1,000 pupils enrolled complete in six years, 109 in seven, 50 in eight, and 18 in nine; the remaining 687 do not complete primary education. This amounts to a graduation efficiency rate of 30 per cent in 1990 and 33.5 per cent in 1992.

337. As a result of the rapid growth in the school population in the period 1990-1996, the primary level has severe problems in terms of the number and distribution of schools, a factor which has a powerful impact on the cover.

338. In the period 1980-1989, the number of schools in operation increased by 1,841 (25.3 per cent). A total of 274 schools was built and equipped in 1990-1993, and a further significant impact was made in 1994-1996 when 472 new schools were brought into operation.

339. A number of measures have been introduced since 1990 to improve the quality of primary education, including conversion of one-teacher schools into two-teacher schools, and reorganization of the rural schools infrastructure. Since 1990 FHIS and FHIS-II have been supporting the programme for the construction, extension and repair of schools and kindergartens and provision of two-seater desks and other school furniture.

340. Resource rooms have also been established for the training of disabled children with a view to their incorporation in normal schools. National special education policies have also been introduced, providing the basis for the implementation of the programme for integration of disabled children in the normal classroom by facilitating the harmonization of the environment with the children and of the children with the environment and the development of their aptitudes and skills. This programme is being operated in three departments: Francisco Morazán, Ocotepeque and Copán.

The National Education Development Plan

341. The following are the principles according to which the Escuela Morazánica operates:

- It is a top-quality school for all children and offers preparation for productive life based on the consolidation of civic values;

- It provides education in democracy, by democracy and for democracy, being committed to carrying out measures to transform society by encouraging community participation in the management of education and in the solution of school problems;

- It is capable of pedagogical innovation and permanent renewal to educate children in respect for, protection of and exercise of human rights, in particular the rights of women, children and minorities;

- It proposes a new relationship between human beings and nature with a view to the rational utilization and preservation of natural resources, and provides training for the protection and consolidation of the nation's identity, independence, sovereignty and regional integration;

- It incorporates new concepts tested in similar contexts at the national level and takes an individual approach rooted in the history, reality and development trends of Honduran society;

- It channels the efforts of international cooperation in accordance with the general features of the model and the nation's education priorities;

- It is focused on learning, on the needs and interests of the pupils, on the acquisition of socially significant knowledge, and on the development of a capacity for self-education;

- It develops in the pupils creative and practical skills, formative and informative knowledge, and critical, self-critical and functional attitudes;

- It encourages the rule of science, the development of creative thinking, and technological innovation;

- It expands the cover, reduces the rates of drop-out, failure and educational marginality, and improves the academic performance of the pupils and the national educational standards; and

- It provides training in the healthy and creative use of free time, appreciation of the arts, and sports for comprehensive development.

342. Quality is one of the fundamental axes of the Escuela Morazánica, whose viability is based on:

- Social and cultural relevance and the imparting of knowledge relevant to the pupils' lives;

- Creation of effective channels for family and community participation in the education process and its management;

- Upgrading of the social, ethical and professional functions of teachers;

- Effective provision of quality goods and services by the system's management;

- Efficient and effective use of human, technical, material and financial resources, the allocation of which should be gradually

increased and kept in line with the priorities of human development; and

- A balance between the need to increase the cover and the quality of the services, especially with respect to securing full cover in elementary education and providing literacy, adult education and special education programmes.

Secondary education

343. Secondary education is not compulsory and is provided for pupils aged 14 to 19; it has the following general purposes: continuation of the training process begun in primary education; integrated training of young people; training for the world of work; and training of pupils to continue their education at higher levels.

344. Secondary education is provided in two cycles (regular and diversified). Completion of the regular (general or technical) cycle is a requirement for admission to the diversified cycle and has the following three-year courses: baccalaureate, commercial and secretarial.

345. Secondary education is intended to facilitate the acquisition of good-quality, fair and effective education which is relevant to the lives of individual Hondurans and to the whole of Honduran society. This level therefore requires an evaluation of the roles attributed and the roles assumed, with emphasis on recognition of the close links between the education system and the country's economic, political and cultural systems.

346. There has recently been a decline in the number of semi-public and private schools, the first group having been transferred to the public category and some private schools probably having disappeared. Historically there have been more private schools, but the ratio is currently coming into balance.

347. The secondary education cover was 31.7 per cent in 1995, including 33 per cent registration for technical courses and the remainder for services courses; the failure rate was 21.5 per cent and the teacher-pupil ratio 1:25. There are two cycles of secondary education: the regular or basic technical cycle lasts three years and is a requirement for admission to the diversified cycle, which lasts two to four years depending on the course. This level of education is provided by the public administration and by semi-public (subsidised by the Education Ministry) and private institutions. In 1991 the public and semi-public sector accounted for 54.8 and 4.7 per cent of enrolment respectively, while the private sector accounted for 40.5 per cent.

348. The traditional subjects predominate: commercial, baccalaureate in science and the arts, secretarial, teacher training, and artistic; technical and occupational courses receive less attention.

349. The 1996 enrolment totalled 266,538, representing a cover of 32.18 per cent of the national age-group population of 828,278. Of the total 1996 enrolment, 63.5 per cent was in the public sector and 36.5 per cent in the private sector. Females accounted for 55.52 per cent and males for 44.48 per cent.

Secondary enrolment, 1996

Sector	Males	%	Females	%
Public	76 213	64.28	86 936	58
Semi-public	3 152	2.66	2 953	75
Private	39 193	33.06	58 091	39.25
Total	118 558	100	147 980	100

Initial secondary enrolment and number of schools, 1996

No.	Department	Secondary	
		Enrolment	Schools
01	Atlántida	17 877	58
02	Colón	8 513	32
02	Comayagua	14 727	42
04	Copán	5 418	26
05	Cortés	57 519	147
06	Choluteca	10 560	22
07	El Paraíso	9 990	35
08	Francisco Morazán	86 193	191
09	Gracias a Dios	1 029	6
10	Intibucá	3 974	18
11	Islas de la Bahía	1 452	14
12	La Paz	3 932	19
13	Lempira	2 674	18
14	Ocotepeque	2 651	7
15	Olancho	11 385	50
16	Santa Bárbara	8 098	33
17	Valle	5 073	16
18	Yoro	15 473	48
	Total	266 538	782

Literacy and adult education

350. Non-school elementary education, also known as adult education, caters for people aged over 14 who had no opportunity of regular primary education.

351. In the second quarter of 1996, 88 per cent of the enrolment was in the formal sector and 12 per cent in NGO programmes. The collection of data on the informal sector is probably incomplete, since NGOs provide literacy training under other training programmes, which are recorded only under their own headings, but the data do at least offer an approximation.

352. The "Educatodos" programme (1996) of the Ministry of Education offers a second opportunity of elementary education for people who could not complete this level in childhood for economic or work reasons. The programme is not

limited to literacy and also offers participants an opportunity to continue their elementary education from the first to the ninth grade. The programme uses interactive radio in conjunction with printed materials and takes a participatory learning approach.

353. The adult functional literacy programme is carried out in coordination with NGOs providing adult education and also has the support of community volunteers, who receive training. The programme caters mainly for rural and marginalised urban areas and uses learning circles led by persons from the same community known as literacy trainers.

354. The programme's priority is to teach the students to read and write and it usually operates in conjunction with projects designed to improve their living conditions.

355. The popular culture centres operate programmes to train people aged over 14 to improve their living standards by learning an occupation; their basic purpose is to cater for young people and adults who have an interest in and aptitude for acquiring job skills; they are trained for work as employees or to run their own mini-enterprises. Since 1976 there have been a number of different workshops: clothing, tailoring, carpentry, mechanics, electricity, radio and television, woodcarving, and beauty care.

356. The "Ramón Rosa" national education plan for the human and productive development of young people and adults was initiated in 1995 for the period 1995-2008 with a view to promoting the development of adult education by providing elementary education linked to productive work.

357. The illiteracy rate fell from 53 per cent in 1961 to 40 per cent in 1974 and, according to the latest population census, to 32 per cent in 1988; out of an illiterate population of five million, about one million are in the 10-plus age group. Of this total, 77.3 per cent live in rural areas (869,439) and 22.7 per cent in urban areas (205,952). According to estimates of the Ministry of Planning (formerly SECPLAN, now SETCO), the illiteracy rate was about 30 per cent in 1992.

358. In order to extend the cover to areas and groups which do not have access to these regular programmes, additional adult education programmes were introduced in 1992: Radio Interactiva, Jóvenes en Marcha, the Comayagua education-for-work programme (formerly POCET, now CENET), and the Development Programme for Displaced Persons, Refugees and Returnees (PRODERE). The introduction of these new programmes in 1992 extended the cover to 133,080 persons, 68,715 in the Radio Interactiva programme, 25,000 in Jóvenes en Marcha, 1,400 in POCET/CENET, and 1,600 in PRODERE.

The gender approach in the education sector

359. The State of Honduras has recognized women's rights in some of its national legislation, for example the Constitution of the Republic and the Family Code, and it has also entered into international commitments to accord women the rights due to them in equality of circumstances. In 1975 the World Plan of Action adopted at the World Conference of the International Women's Year prompted Honduras to include in its National Development Plan 1979-1983 the social promotion of measures to facilitate the integration of peasant women, single mothers and young women in various development programmes.

360. In December 1979 Honduras approved the Convention on the Elimination of All Forms of Discrimination against Women and in 1982 the Declaration on the Participation of Women in the Promotion of Social Development (GADES); it also approved a national policy to ensure the effective implementation of the programmes and projects on women. On 10 December 1948 it approved the Universal Declaration of Human Rights. The Declaration of the Rights of the Child was approved in November 1959, and the national Childhood and Adolescence Code was adopted in 1996.

361. As one of the specific and concrete measures to combat the exploitation of children, the Ministry of Education has incorporated the gender concept in the drafting of school textbooks and other kinds of written material such as posters, handbooks, etc.

Higher education

362. Higher education caters for the 18-24 age group, estimated in 1995 to contain 816,685 persons. In 1995 there were 13 courses distributed among three institutions; four of these courses were State and nine private.

363. The traditional subjects have the highest enrolment and graduation figures: law, business administration, humanities and engineering. The labour market for graduates in these subjects is saturated and offers only limited opportunities of employment and at salaries much lower than the level which university graduates ought to command. In addition, the country's economic and cultural development calls for the training of scientists in the basic natural and social subjects, especially technology and management professionals.

364. Total university enrolment represents a little under 10 per cent of the population regarded in Honduras as being of the right age for admission to university (19-24 group). Higher education enrolment and graduation figures are summarized below.

Higher education enrolment and graduation, 1986-2000

Year	Total enrolment	Public	Private	Total graduation	% Adults with higher education
1996	38 475	36 914	1 561	1 820	2.6
1987	39 882	37 640	1 790	1 717	2.6
1988	42 701	40 640	1 893	1 707	2.7
1989	43 379	40 808	2 362	1 736	2.8
1990	43 871	41 017	2 877	2 085	2.9
1991	43 711	40 876	2 835	2 219	2.9
1992	46 415	43 527	2 888	2 048	2.9
1993	48 120	44 830	3 290	2 100	2.9
1994	49 930	46 180	3 750	2 150	2.9
1995	51 840	47 560	4 280	2 200	2.9
1996	53 870	48 990	4 880	2 250	3.0
1997	56 020	50 460	5 560	2 300	3.0
1998	58 310	51 970	6 340	2 360	3.0
1999	60 760	53 530	7 230	2 420	3.0
2000	63 380	55 140	8 240	2 480	3.0

365. The State universities accounted for 90 per cent of the total number of students in higher education in the period 1982-1995. The need to reorient higher education is manifest. The subjects with the highest enrolment and graduation figures (law, economics, journalism, etc.) are saturated and offer limited job opportunities.

366. Real salaries for graduates in some of these subjects have been declining for more than a decade. In contrast, there is a critical need for scientific, technological and managerial personnel, and salaries for graduates in these subjects are higher than those for graduates from some of the traditional courses.

367. The Honduran higher education system is too rigid to respond to the needs of the national jobs market. In contrast, market-linked education systems produce reductions in enrolments in subjects where job opportunities are declining and increases in other subjects where the market is stronger.

368. A number of reforms introduced in the National Autonomous University of Honduras (UNAH) offer possibilities of increasing the number of university graduates.

369. However, these reforms are not increasing the availability of higher education or improving its quality and relevance. Although the emergence of new private universities may help to improve the quality and relevance of teaching in some higher education subjects, at present such private institutions are enroling less than 10 per cent of the students and, if current trends continue, they may achieve at best only 15 per cent of the total enrolment at the end of the decade.

370. To sum up, the number of graduates from higher education is slowly increasing at a time when technological progress and economic integration are compelling institutions and enterprises to change their organizational structures and introduce new production processes. The education experiments in other countries which have achieved stronger economic growth over the past 30 years offer important lessons for Honduras. Given the increased demand for higher education graduates in the global economy, Honduras must consider options for increasing the cover and improving the academic and technical training of secondary education pupils and reorient higher education and extend its cover as quickly as possible. Otherwise, higher education will become another obstacle to economic development and the reduction of poverty in Honduras.

Article 15

Culture, arts and sports

371. The Ministry of Culture, Arts and Sports believes that the modernization and rationalization of the State require a restructuring of its obsolete apparatus, the creation of appropriate State agencies for the attainment of the social targets, and the delegation of specific powers in the implementation of the various cultural and artistic policies.

372. The following departments have been created for operational purposes: Arts, Books and Documentation, Artistic Education and Training, and Popular Culture and Sports, as well as the Honduran Institute of Anthropology and History.

373. Regional cultural centres have been established throughout the country, together with the Indigenous Centre for Handicrafts Training (CICAI), whose services are targeted on the indigenous population in the west of the country, and the National Council on Culture and the Arts, the National Archives Council, and the National Council on Books and Documentation. Support is provided to the municipalities by means of cooperation agreements and the network of 87 municipal public libraries.

Promotion of cultural development

374. Funds are available from the Government's expenditure budget, and small donations are received from private business to cover the costs of a few small projects; the Ministry of Culture, Arts and Sports has sections in its budget for projects and programmes executed by non-profit organisations; the houses of culture, municipal public libraries, etc., are supported with materials or funds.

375. Funding is received from friendly countries, in particular for the implementation of anthropological projects; the Inter-American Development Bank is contributing funds for the restoration of historic monuments.

376. The Ministry has a suitable infrastructure for attaining the objectives of the various cultural, artistic and sports programmes and projects. It has a national library and a network of 87 municipal public libraries with their own facilities, not to mention the National Newspaper Archive and the National Archive.

377. The National Conservatory and the National School of Music have suitable premises for their teaching work; the regional cultural offices located throughout the country are also working in suitable premises. Museums have been established in the Mayan archaeological areas, as well as in the country's main towns; with the collaboration of the local people, a number of museums have been established in buildings representing elements of the history of Honduras and the community.

378. The Manuel Bonilla National Theatre and the Nicolás Avellaneda Theatre put on artistic events; the National School of Dance offers classes in its own building.

Promotion of cultural identity

379. The measures to promote national culture are intended, amongst other purposes, to enrich the identity of the Honduran people. The main national purpose is to develop knowledge of the country's history, culture, customs, principles and social values, in the education system and also in the family, communication media, workplace and public life, as well as to preserve and ensure the widespread diffusion of the nation's cultural heritage.

380. The national identity is projected abroad by means of programmes of Honduran culture. It is understood that the preservation, study and diffusion of the cultural heritage are essential factors in strengthening the national identity.

381. The history of Honduras, its wealth of big towns and the ethnic and cultural plurality of its present society render a policy for conservation of this heritage essential.

382. It was found necessary to conduct a national cultural dialogue in order to establish an equitable cultural exchange among the various ethnic and social groups in Honduras; this has enabled Hondurans to learn about the many different sources of their identity. A correct valuation of expressions of popular culture is essential to due recognition of the works produced by the people over time, which constitute the roots of the country's cultural personality, not only in the manifestations of daily life, customs, traditions, social habits, lifestyles and festivals but also in the expression of the arts and sciences and the various other areas of knowledge.

383. The preservation and diffusion of indigenous cultures can only reinforce a culture - Honduran culture - whose vitality and originality stem from the nation's diversity.

384. The cultural and linguistic diversity of the ethnic groups in Honduras, with their respective indigenous languages, constitutes without any doubt an inexhaustible resource of the collective self-expression which gives meaning to the development and the future of broad sectors of the population.

385. Technological progress has transformed the communication media and created new opportunities for the dissemination of culture; it has also given rise to complicated social processes connected with the transmission of patterns of behaviour, values and lifestyles.

386. The communication media network constitutes a current resource offering real opportunities to meet the needs of the diffusion of the national culture.

Conservation and presentation of the cultural heritage of mankind

387. The work of the institutions responsible for the preservation of the cultural heritage, such as the Institute of Anthropology and History, is being stepped up, and the coordination of the application of the Government's guidelines and the participation of society are being improved in an effort, amongst other things, to strengthen the relevant legal and technical instruments such as the Cultural Heritage Act.

388. The programmes on the systematization of information on various aspects of the cultural heritage are being expanded with a view to initiating integrated projects on the registration and updated documentation of the national heritage.

389. Article 175 of the Constitution states: "The State shall promote and support the diffusion of the works of national or foreign authors which contribute to the nation's development as legitimate philosophical, scientific or literary creations".

390. The Ministry of Culture, Arts and Sports must be made fully operational as the agency responsible for improving the coordination between artistic education and research in a fruitful inter-relationship, whose results will mark the beginning of far-reaching measures of educational and cultural policy.

391. The machinery for creative and cultural projects is being consolidated and diversified in order to provide balanced benefits for various social groups. Equality of opportunity in cultural development and individual and collective artistic development is being encouraged in as many communities as possible.

392. Other measures introduced by the State for the conservation and diffusion of Honduran culture include: stimulation of artistic creativity; strengthening of the diffusion of popular cultures; and decentralization of the administration of cultural property and services.

393. Article 175 of the Constitution states: "The State shall promote and support the diffusion of the works of national or foreign authors which contribute to the nation's development as legitimate philosophical, scientific or literary creations". The Copyright and Related Rights Act provides full protection in these areas.

394. The Constitution calls for the following provisions: an act to regulate freedom of expression by means of prior censorship in order to protect society's ethical and cultural values and the rights of individuals, in particular children, adolescents and young people, and regulation by law of the commercial advertising of alcoholic beverages and tobacco (art. 75).

395. All authors, inventors, producers or dealers shall have a right to the exclusive ownership of their works, inventions, trade marks or trade names, in accordance with the law (art. 108). Education shall perform the essential function of the State in the conservation, promotion and diffusion of culture, the benefits of which must be transmitted to society without discrimination of any kind; national education shall be lay and based on the essential principles of democracy, inculcate and encourage in pupils profound Honduran sentiments, and be directly linked to the country's economic and social development process (art. 151).

396. All the anthropological, archaeological, historical and artistic wealth of Honduras must form part of the cultural heritage of the nation. The law shall establish regulations to serve as the basis for the conservation, restructuring, maintenance and restoration, as necessary, of this heritage. It is the duty of all Hondurans to ensure its conservation and prevent its depletion. Sites of natural beauty, monuments and protected areas shall be under the protection of the State (art. 172).

397. The State shall preserve and encourage indigenous cultures and genuine expressions of national folklore, popular art and handicrafts (art. 173). The State shall promote interest in and the exercise of physical culture and sports (art. 174). The State shall promote and support the diffusion of the works of national or foreign authors which contribute to the nation's development as legitimate philosophical, scientific or literary creations (art. 175).

398. Close links shall be maintained with friendly countries which share a desire to collaborate in and encourage national and interinstitutional agreements and other arrangements to promote scientific, educational and cultural activities.

399. All authors, inventors, producers or dealers shall have a right to the exclusive ownership of their works, inventions, trade marks or trade names, in accordance with the law (art. 108). The necessary measures shall be promoted through foundations, regional cultural offices, municipal public libraries, houses of culture, and businesses which support cultural and educational activities.

400. Subject to proof to the contrary, the person whose name, pseudonym, initials, or conventional mark or sign is habitually printed in a work or its reproductions or stated in declarations, presentations, representations, interpretations or any other form of public diffusion of the work shall be regarded as its author (art. 10).

401. Only a natural person may be the author of a work. However, the State, public-law bodies and juridical persons may hold the intellectual property rights conferred by this Act as successors or assigns of the original holder (art. 11).

402. The following works shall be protected as independent works in that they constitute original creations, without prejudice to the copyright to the works on which they are based:

(a) Translations, adaptations, musical arrangements and other transformations of a work. In such cases, the person producing the derived work shall hold the copyright to it; the prior written authorization of the holder of the copyright to an original work in the private domain shall be required for its use; and

(b) Collective works, such as periodic publications, anthologies, dictionaries and the like, when the selection and arrangement of their content constitute an original creation (art. 12).

403. Works of art used in industry shall be protected as works of art when their artistic content is separable from the industrial product (art. 13).

404. Unless otherwise agreed, in the case of works of divisible collaboration each collaborator shall hold the copyright to the part of which he is the author. In the case of works of indivisible collaboration the copyright shall be held in common and indivisibly by the co-authors (art. 14).

405. Works published for the first time by the United Nations, or its offices or specialized agencies, and by the Organization of American States shall be protected in accordance with the provisions of the international agreements signed and ratified by Honduras (art. 15).

406. Producers shall have the following rights:

(a) To establish the final form of a work and reproduce it for distribution and exhibition by any means available to them in cinema auditoriums or in places serving as such auditoriums or by any other means of projection, and to obtain financial benefit thereby;

(b) To sell or hire out examples of an audiovisual work or expand or reduce its format for its exhibition; and

(c) To authorize translations and other adaptations or transformations of a work and use them as required to increase the financial benefit from the work, and to bring prosecutions before the competent judicial bodies in connection with any unauthorized reproduction or exhibition (art. 24).

Notes

1/ Population and Housing Census, 1988 and Ministry of Public Education.

2/ Ministry of Public Health and Social Indicators Unit/SECPLAN.

3/ Ministry of Public Health.

4/ Fifth Workshop Census in First-Grade Schoolchildren, SEC/SECPLAN.

5/ Ministry of Planning, Coordination and Budget.

6/ Population, Gender and Employment Unit/SECPLAN.

7/ Data from the National Household and Multi-purpose Survey, SECPLAN/DGEC, October 1994.

8/ ENESF, 1991-1996.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1990/5/Add.41
29 October 1998

Original: ENGLISH

Substantive session of 1999

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant in accordance with the programmes established by Economic and Social Council resolution 1998/4

Addendum

SUDAN

[Original: ARABIC]
[8 May 1998]

GE.98-19184 (E)

CONTENTS

		Paragraphs	Page
I.	GENERAL PROVISIONS OF THE COVENANT	1 - 14	3
	Article 1	1 - 8	3
	Article 2	9 - 14	3
II.	SPECIFIC RIGHTS	15 - 134	4
	Article 6	15 - 29	4
	Article 7	30 - 36	6
	Article 8	37 - 47	7
	Article 9	48 - 50	9
	Article 10	51 - 64	9
	Article 11	65 - 71	11
	Article 12	72 - 84	12
	Article 13	85 - 120	14
	Article 15	121 - 134	20

I. GENERAL PROVISIONS OF THE COVENANT

Article 1

1. The Republic of the Sudan was a colony of Great Britain between 1821 and 1956. On 1 January 1956, the Sudan became an independent State with national sovereignty.

2. The surface area of the Sudan covers all territory internationally recognized as Sudanese since 1956, amounting to 967,498 square miles.

3. The constitutional decrees promulgated by the head of State represent the country's supreme law. They currently replace the Constitution and guarantee all civil, political, economic, social and cultural rights, as well as public duties.

4. The equality of citizens stems from the identity of a common human ancestry and forms the basis of society, including its rights and duties.

5. The political system in the Republic of the Sudan is based on devotion to the values of truth, freedom, dignity, justice and observance of human rights (articles 22, 23, 24 and 25 of the National Charter for Political Action).

6. Work is currently under way on preparing a comprehensive constitution for the country which will be presented to the Sudanese people in a public referendum before it is carried into effect.

7. Public legislative elections for the National Assembly (Parliament) are held in the country every four years and presidential elections every five years. Elections for the State councils are also held every five years in each of the 26 States which make up the Republic of the Sudan. Elections for State governors are held every four years.

8. Having secured the right of self-determination, the Sudan acquired full independence in its political decision-making and assiduously endeavoured to strengthen international détente and build a universal system ensuring full freedom, justice and equality for all peoples and States, as well as international peace and security.

Article 2

Paragraph 1 of the guidelines

9. Non-Sudanese citizens are subject to the provisions of the laws in force in the country. They also enjoy the same rights and duties guaranteed to them under these laws without distinction, as well as the public legal right of a citizen not to be subjected to coercion in connection with belief or to prohibition in connection with worship or to injustice or discrimination in regard to public rights on the mere basis of personal attribute. Provision is also made for their right to work and to freedom of movement, unless governed by law.

Paragraph 3 of the guidelines

10. The overall framework for the promotion and development of economic, social and cultural rights is based on the conclusion of agreements and protocols on development cooperation towards the full realization of these rights. To that end, the Sudan is deploying major efforts with multilateral and bilateral bodies.

11. The Sudan is making use of all its approved cooperation programmes with the United Nations and its various agencies to lay the foundations for the realization of economic, social and cultural rights, involving the technical support provided by the United Nations Development Programme (UNDP), the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO).

12. On account of the civil war conditions in southern Sudan, Operation Lifeline Sudan was approved with a view to ensuring the realization of all such rights in regard to the inhabitants of the affected areas. It comprises assistance from Canada, the Netherlands, the United States of America, the United Kingdom and Norway.

13. The Sudan also receives assistance in the same context from the Islamic Development Bank, the Kuwait Development Fund, the Arab Bank and the African Development Bank.

14. Again in the same context, the Sudan receives assistance from China, Nigeria, Turkey, Pakistan and the Republic of Korea.

II. SPECIFIC RIGHTS

Article 6

Paragraph 1 of the guidelines

15. The Sudan acceded to the International Convention on the Elimination of All Forms of Racial Discrimination on 21 March 1974. Arrangements are still under way for its accession to the Convention on the Elimination of All Forms of Discrimination against Women.

Paragraph 2 of the guidelines

16. The Alms-Tax Office and various solidarity funds offer material support and assistance to the sick and needy.

17. Under Sudanese law, work is regarded as an honour and a duty. Article 10 (2) of the Seventh Constitutional Decree of 1993 states that: every citizen has a duty to acquire knowledge and perform work in the public interest. It also provides full guarantees for the protection of the worker as the guest of the employer.

18. The provisions of the Public Service Act stipulate the basis of the duties and responsibilities of public service and the necessary qualifications

for its performance as prescribed in the classification and evaluation plan approved by the Cabinet on the recommendation of the competent minister. Posts are established, modified and abolished according to the work requirements. The rules and principles governing such establishment, modification and abolition are clearly articulated in regulations (article 10 of the Public Service Act of 1994).

19. Each unit is regarded as a functional structure which prepares a roll of approved posts and their titles and levels. It also specifies the duties and responsibilities of each post in accordance with the administrative chart approved by the competent authority (article 11 (1) of the Public Service Act of 1994).

20. The Government of the Sudan has adopted various practical measures to ensure that work is as productive as possible by preparing a sound work environment, particularly with a view to regulating certain occupations, taking into account the worker's state of health and the nature of his work. It also attaches great importance to the principle of equal pay for equal work, to weekly breaks and holidays, and to providing worker productivity incentives. Consideration is also given to the health, educational and cultural circumstances of workers and their families.

21. Part IV (article 18) of the Public Service Act prescribes free competition on the basis of merit by examination, interview or both in accordance with the requirements of work and the various specialist fields.

22. All vacant posts are advertised using all the available information media, except high-level leadership posts and promotion posts that can be filled from within a unit. The contents of the advertisement and the process to be followed are prescribed by regulations (article 19 of the Public Service Act of 1994).

23. As training is regarded as a vital element of innovation, improvement and performance-raising, the provisions of article 42 (1) of the Public Service Act of 1994 stipulate that training is a functional duty of all employees in the public service and that the laws and regulations shall determine training plans and the objectives and types of training. Article 42 (2) of the Act calls upon each unit head to train the workers in the units in the methods of work and the rules governing work.

24. In accordance with the provisions of article 7 (2) of the Public Service Act of 1994, the bodies responsible for the running and development of the public service are as follows:

(a) The Supreme Council for Administrative Reform;

(b) The Federal Public Service Commission and the public service selection boards in the States;

(c) The Public Service Affairs Office;

(d) The Central Organization for Administrative Reform;

(e) The Sudan Academy for Administrative Sciences;

(f) The Centre for Administrative Development;

(g) The Public Servants' Bureau;

(h) The Organization for Public Monitoring and Administrative Appraisal;

(i) The National Training Department;

(j) Other bodies which the Cabinet decides to establish.

25. Various factors prevent attainment of the objectives of full employment, namely the difficulty of accurate statistical monitoring in the light of which a fixed plan could be drawn up. In addition, the majority demonstrate a preference for office work. Work is now under way to evaluate these problems, with the emphasis on field work.

Paragraph 3 of the guidelines

26. No distinctions, exclusions, restrictions or preferences exist, be it in law or in administrative practices or in practical relationships, on the basis of race, colour, sex, religion, political opinion or social origin of citizens, all of whom are equal in rights and duties.

27. No precise statistics are available on vocational guidance and training or on the employment and occupations of persons according to their race, colour, sex, religion and national origin, as public service employment in the Sudan is not subject to those criteria. It is therefore extremely difficult to formulate any precise statistics.

28. Apart from posts of a political or security nature, which are exclusively restricted to Sudanese citizens, opportunities for employment at all levels are available to everyone, regardless of race, colour, religion, political opinion or social origin.

Paragraph 4 of the guidelines

29. There are no precise figures available from which to determine the percentage of the working population holding more than one full-time job. Certain individuals, however, do hold more than one job through delegation or secondment.

Article 7

Paragraph 1 of the guidelines

30. The Government of the Sudan is making great efforts to derive the maximum benefit from the small amount of assistance provided by the International Labour Organization (ILO) and to increase worker productivity in all sectors.

Paragraph 2 of the guidelines

31. The Higher Wages Council and the Sudan Workers Trade Unions Federation regularly review workers' wages every six months and recommend increases on the basis of the international economic variables affecting the domestic economy. This applies to both public and private sectors, as the Ministry of Finance and Economic Planning applies ipso jure such recommendations to all categories of workers in the country.

32. The minimum wages in the public and private sectors are declared and increased on the recommendations of the Higher Wages Council. Some groups, however, fall outside the protection of the wages system in cases where private individual contracts are concluded between employee and employer. The following table shows the average wage and the minimum wage since 1987:

Year	Average wage	Minimum wage
1987-1997	9 000	3 000
1992-1997	24 000	15 000
Present	30 000	29 000

33. In fixing workers' salaries and pay, the principle of equal pay for equal work is applied on the basis of the nature of the work, the difficulty of the duties and responsibilities involved and the conditions in which the work is performed, regardless of sex (Labour Act of 1994, as amended in 1997).

Paragraph 5 of the guidelines

34. The regulations on appointment and reappointment determine main working hours, periodic holidays with pay and remuneration for public holidays pursuant to the Public Service Act of 1994.

35. Official working hours are eight hours daily, six days weekly. Those in employment of a nature that requires them to work on public holidays receive bonus pay, while any public employee who has served one year is entitled to annual paid leave and may also be given local leave. Moreover, he receives further payments to cover journey costs incurred by himself and his family for travel to any region within the Sudan.

36. The authorities have encountered no difficulties in determining working hours and the criteria and regulations governing annual holidays and remuneration for work carried out on public holidays.

Article 8

Paragraph 1 of the guidelines

37. The Sudan acceded to the International Covenant on Civil and Political Rights in 1986.

Paragraph 2 of the guidelines

38. Trade unions in the Sudan are established on the basis of cooperation with the State apparatus and social forces with a view to strengthening national unity, protecting the independence and security of the nation, furthering its objective, steering it towards its moral ideals and broadening its international relations.

39. A worker who applies to join or leave a trade union cannot have his application refused.

40. In the provisions of article 9 (2) of the Sudan Workers' Trade Unions Act of 1992, the Sudanese legislator prescribed that workers in the sectors and establishments specified in the regulations may form a trade union organization.

41. In accordance with the provisions of article 9 (5) of the Sudan Workers' Trade Unions Act of 1992, a trade union may join the membership of any regional, national or international federation by a decision of its general assembly, provided that the federation concerned is in agreement.

42. No limitations are placed on the right of Sudanese trade unions to function freely. In accordance with the provisions of article 7 (1) of the Sudanese Workers' Trade Unions Act, trade union elections held in the Sudan are impartial and independent.

43. In contrast to previous times, the strike weapon is no longer exercised in the Sudan with a view to acquiring rights, workers having recognized the adverse repercussions of the strikes which took place in the years prior to the Revolution for National Salvation. As a result, they invariably seek to negotiate with the authorities concerned, usually with positive results in their favour.

44. Workers in the Sudan now feel that they are as involved in development activity as everyone else. They therefore regard any strike as an obstacle to development.

Paragraph 3 of the guidelines

45. Sudanese laws contain no provisions that prohibit strikes. Nevertheless, the workers themselves make efforts to solve their problems through negotiation and very frequently arrive at satisfactory solutions.

46. Strikes are legally and constitutionally guaranteed for all categories of workers. There are no legal provisions which permit some workers to strike to the exclusion of others.

Paragraph 4 of the guidelines

47. The regular forces are not entitled to establish trade union organizations and are consequently not entitled to engage in any employment strikes.

Article 9

Paragraph 2 of the guidelines

48. The following branches of social security exist in the Sudan: (a) medical care; (b) cash sickness benefits; (c) maternity benefits; (d) old-age benefits; (e) invalidity benefits; (f) survivors' benefits; (g) employment injury benefits; (h) unemployment benefits; (i) family benefits.

Paragraph 4 of the guidelines

49. Spending on social security amounts to 3.5 per cent of GNP and to 2 per cent of the general budget.

Paragraph 6 of the guidelines

50. Most citizens, particularly those working in the public sector, enjoy all social security benefits. This includes women, who are accorded all the rights guaranteed to them by law.

Article 10

Paragraph 1 of the guidelines

51. The Republic of the Sudan acceded to the International Covenant on Civil and Political Rights in 1987 and to the Convention on the Rights of the Child on 3 August 1990. Various steps are still to be taken for its accession to the Convention on the Elimination of All Forms of Discrimination against Women.

Paragraph 2 of the guidelines

52. The family is the nucleus and basis of society, the setting in which individuals are raised and personalities built. It effectively fulfils its responsibility on the basis of its commitment to moral principles founded on pure social values. It is a term used in the Sudan to refer to individuals who are linked by ties of paternity, filiation, marriage or kinship (the extended family).

Paragraph 3 of the guidelines

53. A child is considered to have attained majority when he reaches 18 years of age and is mentally, physically and psychologically mature.

54. The Sudan promotes the establishment of the family by facilitating marriage for those who wish to enter into it and by providing the material assistance which that requires. No marriage takes place without the mutual consent of the intending spouses.

Paragraph 4 of the guidelines

55. In order to safeguard against social decline, disintegration and decay, the State sponsors social marriage projects, having adopted the practice of providing assistance conducive to perpetuating the human race and facilitating the establishment of families. The following illustrates the number of marriages entered into within that framework:

Year	Number of marriages
1992	3 000
1993	3 000
1994	5 000
1995	6 000

56. A number of measures have been taken to strengthen and protect the family. The programme for the advancement of the Sudanese family aims to ensure that, over a 10-year period, 2 million families acquire ownership of production means by creating economically active families at an annual rate of 200,000. The estimated total cost is 20 billion Sudanese pounds, averaging 2 billion Sudanese pounds annually. The projects to create economically active families accommodate an average of 20,000 such families in each State annually.

Paragraph 5 of the guidelines

57. Under the provisions of article 57 (1) of the Maternal and Child Welfare Act, the Ministry of Health is required to establish a central committee for maternal and child welfare. Pursuant to the provisions of article 58 of the Act, subject to articles 5 and 6, the Central Committee for Mother and Child Care is responsible, inter alia, for making national planning proposals to ensure that urban and rural services are provided on an equitable basis.

58. The Sudanese legislator affirmed, pursuant to the provisions of article 68 (1) of the Act, that no midwife is permitted to practise the profession without a licence from the assistant health governor in the relevant province. A licence cannot be issued unless the midwife:

(a) Has obtained a science qualification and completed the required training in accordance with the levels stipulated in the regulations;

(b) Is registered in the midwifery section of the register of medical professions.

59. A council known as the mental health council has also been established in each province pursuant to the provisions of article 73 of the Act.

60. The total length of maternity leave is two weeks and the period of compulsory maternity leave after confinement is 1½ months. During this period, mothers receive all their cash entitlements in the form of monthly salary and benefits due.

Paragraph 6 of the guidelines

61. The concern which the Sudan devotes to children falls within the framework of its programmes related to children in difficult circumstances, including homeless children, children of unknown parentage and orphans. The programme exemplifies that concern by:

(a) Maintaining a record of such children and reporting their circumstances;

(b) Giving priority to their families in the projects to create economically active families;

(c) Organizing specific programmes for them.

62. The law in the Sudan prohibits the employment of children who have not attained majority, which is defined as 18 years of age. No precise statistics are available because some children are employed under private agreements between them and their employers. As such, it is difficult to maintain records. The employment of children in domestic work or commercial farms owned by their families is governed by the provisions concerning domestic services.

63. Homeless children and lone children previously enjoyed a lesser degree of protection. A great deal of attention was devoted to them by the National Council for Child Welfare and the Ministry of Social Planning, as a result of which camps providing all the necessary forms of protection were set up to accommodate them.

Paragraph 8 of the guidelines

64. In common with other developing countries, the Sudan suffers from the problems caused by poverty, instability, insecurity and the external debt burden. It is therefore highly dependent on foreign assistance from international organizations and banking institutions to implement child protection programmes and the provisions of the International Bill of Human Rights. However, the fact that such assistance is either negligible or often completely non-existent constitutes an insurmountable obstacle to the implementation of human rights and makes it extremely difficult to put into action the plans and programmes which have been framed in that connection.

Article 11

Paragraph 1 of the guidelines

65. The agricultural sector sets the pace and provides the main impetus for all economic activity. Occupying the lead position, it contributes 36 per cent to GDP, accounts for 75 per cent of the labour force

and contributes approximately 95 per cent to the value of exports. Most domestic industries are also reliant on it to provide the raw materials which they require.

66. The post-1989 period has been marked by serious efforts to achieve food security by increasing the areas farmed with wheat and focusing on corn cultivation in the irrigated areas in order to avoid the swings in production which can occur in the rainy areas.

67. The agricultural programmes in the Sudan are aimed at stepping up efforts to increase productivity by introducing suitable advanced technology in the following areas:

(a) Irrigation, by introducing modern irrigation systems;

(b) Soil, by adding fertilizers and protecting the soil from erosion;

(c) Production, by immunizing stocks.

68. The process of reaching an accurate determination of the poverty line in the Sudan involves practical complications in view of the difficulty of recording family living standards under the trying material conditions which the country is experiencing. No physical quality of life index has yet been formulated in the Sudan.

Paragraph 2 of the guidelines

69. The Sudan has the two biggest silos for grain storage. The first is located in the town of Gedaref (in the largest grain-producing region in Africa) and the other is in Port Sudan on the Red Sea coast. They are linked to consumer and export areas by a network of modern roads and railways.

70. Agricultural research centres provide agricultural advice and guidance to farmers, who also receive practical field and farming assistance from experts and specialists.

71. The increased production of food grains is undoubtedly the mainstay of food and political security. With a view to achieving that security, the agricultural programmes in the Sudan aim to achieve a fivefold or sixfold increase in grain production at an average annual rate of 40 per cent and an eightfold increase in other crops such as legumes, horticultural crops, fodder, sugar and rice. To that end, the Sudan is participating in international efforts aimed at securing the right of everyone to be free from hunger, this in conjunction with the United Nations and its agencies, other Arab States and friendly African States.

Article 12

72. The process of health-care development is an ongoing task that is crucial to the advancement and progress of society and all social groups. The country's health situation has undergone radical change, as illustrated by the information below.

73. The Sudan has a national health policy aimed at ensuring that primary health care, including prevention, treatment and rehabilitation, is available to everyone in accordance with the World Health Organization approach. Its policy objective is to achieve a satisfactory standard of health by eliminating endemic and epidemic diseases, renovating hospitals, improving hospital efficiency and management, and providing beds for citizens in line with the international average, in addition to establishing medical industries to produce hospital equipment, surgical instruments, medical supplies and laboratory tools and developing the human resources represented by doctors, technicians, assistants, nurses and midwives.

74. The percentage of expenditure allocated to health remained at 2 per cent from 1987 to 1995. In 1996, it increased to 3 per cent.

Paragraph 4 of the guidelines

75. The national definition of the term "urban areas" is towns which have health and education services and which can offer modern social activities and technological facilities that are much more advanced than in rural areas.

Paragraph 5 of the guidelines

76. In the desire to create a safe and healthy environment, the Sudanese legislator deemed fit to establish within the Ministry of Health, under the provisions of article 4 (a) of the Public Health Act of 1975, a health council known as the Public Health Council, with responsibility for the following:

(a) Formulating the general principles and standards which govern the health of the environment and providing technical advice to people's local government councils;

(b) Drafting the required standards and specifications for hospitals and health establishments, laboratories, pharmacies, drug stores, private clinics and maternity homes in the public and private sectors;

(c) Declaring a state of emergency in the event of an outbreak of a contagious or epidemic disease that threatens public health throughout the country, with the approval of the competent minister (article 1 of the Act).

77. In order to safeguard and protect humans from disease, the Minister is authorized, pursuant to the provisions of article 41 (1) of the Act, to establish individual ministerial sections with responsibility for one or more of the endemic diseases. He may also determine the location of the main office of any section and appoint a head, an assistant head and medically qualified workers employed by foreign organizations to work in any section that is established.

78. Under the provisions of article 42 (2), any section concerned with an endemic disease must conduct a country-wide survey to determine the endemic areas of the disease in question and the extent of its spread in the provinces, and then formulate projects and plans to combat it.

79. The Government of the Sudan devoted particularly close attention to the immunization of children and pregnant women against the six known diseases, thereby achieving the highest ever percentage of child immunization. It also endeavoured to establish a greater number of health centres providing full immunization services. Family advice and guidance is provided in all urban and rural areas of the country by the African Association for Maternal and Child Welfare.

80. Pregnant women are encouraged to undergo regular prenatal health checks and are offered free advisory services in all maternity homes and hospitals.

Paragraph 6 of the guidelines

81. Medical services for the elderly are provided in all health centres, first aid posts and public hospital clinics as a fundamental right associated with the right to life.

Paragraph 7 of the guidelines

82. The provisions of article 4 (1) (a) of the Public Health Act of 1975 provide for the participation of people's local government councils in elaborating the general principles and standards governing the health of the environment as the enduring basis for a safe and healthy life.

Paragraph 8 of the guidelines

83. The radio and television media constantly air programmes which provide health education and medical advice. Mobile information units also endeavour to raise awareness of health problems and ways of combating such problems.

Paragraph 9 of the guidelines

84. International assistance is still unable to meet the cost of health care and health projects owing to the country's steady population growth and the vastness of its terrain.

Article 13

Full realization of the right of everyone to education

85. Article 1 of the Public Education Act of 1992 stipulates the right of every citizen to the basic stage of education, which has been extended to eight years.

86. The educational policy of ensuring that basic education is available to all before the year 2000, as approved by the Cabinet, has been given maximum priority with a view to attaining the stage of compulsory education and promulgating legislation to that effect. The State also undertook to provide free education at the basic stage. In 1996, three States in the Sudan, namely Khartoum, Northern State and River Nile State, were able to declare that basic education was compulsory. These States comprise 19 per cent of the total number of inhabitants at the age of basic education.

87. A phased plan to implement the education policy was formulated for the gradual admission of all applicants for enrolment during 1991/92 and 1993/94 who had attained the legal age of six. The implementation of measures guaranteeing the general availability of education by the year 2000, to be followed by compulsory education, began in 1998.

88. Part IV, articles 11, 12 and 13, of the Public Education Act concerning the administration of public education determines the powers and terms of reference of the federal and State education authorities. The task of implementing education policies, including the opening of vocational and technical secondary schools, was passed to the States. The education strategy is intended to standardize secondary education insofar as it constitutes an important stage and a step forward in the field of human resources planning, aiming as it does to allow the individual to make an effective contribution to the development of society and pursue education to higher stages.

89. The concern for this matter is highlighted by the tremendous expansion of secondary education, the number of secondary schools having leapt from 484 in 1990 to 1,010 in 1995/96, representing an increase of 526. In other words, the number of secondary schools has doubled over a period of five years.

90. The first priority of the education policy is to address the question of equal education. However, although secondary education has progressed over the past two decades, much of what should have been achieved is still to be done, while the number of both sexes enrolled in secondary education remains low compared to the number of inhabitants in the secondary school age group. The figures and statistics for 1994/95 clearly show the intake rate for the 14-16 age group of both sexes at 27.9 per cent (27.3 per cent for girls, increasing to 28.6 per cent for boys) (see table).

91. During the first half of the 1970s, higher education gained noticeable ground in the States of the Sudan, the number of government universities rising from 10 in 1990 to 24 in 1995. The number of private institutions also rose from 7 in 1990 to 13 in 1995, while student numbers rose from 27,127 in 1990 to 54,074 in the case of females and from 34,047 in 1990 to 79,305 in the case of males (133,379 in total), thus indicating that those eligible to enrol in higher education made use of the opportunity to do so.

92. Spending on higher education institutes increased in line with the policy of expanding higher education and the budget therefore grew from 888,150,000 Sudanese pounds in 1990/91 to an approved sum of 12 billion Sudanese pounds in 1995, representing an increase of 1,290 per cent. In higher education, the student pays annual fees which vary according to college and specialization. Exemptions are in place for those who are unable to meet the cost of fees.

93. In 1996, the budget allocation for education amounted to some 5.6 billion Sudanese pounds, representing 5.3 per cent of the overall budget. The ratio of spending on basic education is 44 per cent of the total expenditure on higher education. The grass-roots effort represents 53 per cent of the amount spent on education in 1994/95.

94. The broad view is that participation should be strengthened by expanding the base of financial contributions to include all other sectors and a number of organizations with a view to alleviating the burden on poorer families.

95. Towns throughout the country organize adult literacy programmes, while those of primary school age have the opportunity to pursue similar programmes suited to their age. These children are permitted to join the basic or secondary stages as befits their level of education.

Alternatives available for children not in school

96. Since 1990, when a conference on education reform was held, the education policy in the Sudan has given priority to ensuring the general availability of basic education, including pre-school education (ages 4 to 5), basic education (ages 6 to 13) and literacy for adolescents (ages 8 to 14) in parallel with regular basic education, with a particular focus on girls so that they can pursue and enrol in regular education. The importance attached to education extended to nomads, resulting in the establishment of mobile schools to cater for their educational needs.

97. The objectives of the education project for adolescents are:

(a) To provide educational opportunities for those in the 9-14 age group who are not in school or who dropped out during the early stages of basic education;

(b) To offer the type of education which befits the needs and circumstances of the adolescent group so that its members can further their knowledge, and improve their abilities and develop their outlook;

(c) To open up the channels between regular education and this type of education so that adolescents who wish to pursue education can do so;

(d) To develop flexible teaching methods so that educational opportunities are readily available to everyone, particularly girls.

98. Three projects which provide an overview of the alternatives are described below.

99. Under the project for adolescents, a total of 23 centres have been opened in the six States of Northern Darfur, Northern Kordofan, Nile, Gezira, Kassala and White Nile. A total of 1,161 children have been enrolled, including 303 females.

100. The relief project for displaced persons aims to provide educational opportunities at relocation sites for the children of persons displaced by drought and war. It has provided such opportunities for over 4 million children, 40 per cent of them female.

101. Under the nomad education programme, by 1997, 259 mobile schools for nomad children had been opened, catering for 13,219 children (including 4,863 females) in the States of Kordofan and Darfur.

102. The main objectives of the plan for the survival, protection and development of the children of the Sudan in the field of education are as follows:

(a) To increase the percentage enrolled in basic schools from 70 per cent in 1995 to 100 per cent by the year 2000;

(b) To increase the graduation rate from 75 per cent in 1995 to 80 per cent in the year 2000;

(c) To reduce illiteracy to 50 per cent in 1995 and to eradicate it by the year 2000;

(d) To expand early child development services and pre-school education.

Enrolment in basic education

103. Basic education has undergone a marked development during the past two decades, the intake rate for both sexes in the 6-13 age group having risen to 53 per cent (49.4 per cent for girls and 65.6 per cent for boys) in the 1994/95 school year (see table).

Drop-out rates

104. Two types of drop-out are encountered in the education system:

(a) Those who missed the opportunity to enrol in school;

(b) Those who dropped out after enrolling in school and before completing the relevant stage. In 1992/93, the statistics for drop-outs among girls was at its highest (24.8 per cent) in the fifth form. There is no recent information, however, concerning drop-outs among boys and girls in urban and rural areas.

Literacy and adult education

105. A conference on the status of illiteracy and its future prospects, held in August 1990, recommended the elaboration of a comprehensive plan for the eradication of illiteracy in the Sudan by the year 2000. It also recommended the promulgation of a National Assembly law on literacy and adult education that would codify efforts in that connection.

106. The law was promulgated in 1991. A comprehensive campaign began to eradicate illiteracy among 8 million adolescents and economically active persons in the 10-45 age group. The campaign efforts were successful in eradicating illiteracy among 4¼ million individuals.

The school system

107. In 1991, the structure of general education was altered from six years to two years for the pre-school stage and from three years to eight years for the basic stage, remaining at three years for the vocational and technical

secondary school stage. The pre-school education stage is deemed as preparation for the basic stage and became part of the education system pursuant to Ministerial Decision No. 1799 of 4 November 1990.

The schooling schedule

108. For the basic stage, the schooling schedule varies between 23 class periods for the first form to 45 class periods for the more senior (sixth to eighth) forms, interspersed with five-minute breaks to provide time to prepare for the next lesson. At the secondary stage, students have seven 40-minute class periods a day, averaging 42 class periods a week.

109. New schools were established on the basis of population density after a feasibility study was conducted using a map of schools to pinpoint school sites.

110. The following table shows the intake rate by sex in the basic stage for 1995/96.

Ages 6-13	Girls	Boys	Total
Inhabitants	2 779 183	2 610 163	5 389 346
Intake	1 573 191	1 290 408	2 863 599
Percentage	56.61	49.44	53.13

111. The following table shows the intake rate in the secondary stage for 1995/96.

Ages 14-16	Girls	Boys	Total
Inhabitants	866 065	809 314	1 675 379
Intake	247 459	221 231	468 690
Percentage	28.57	27.34	27.98

112. The following chart describes the practical enjoyment of education by girls in various groups:

Girls	Remarks
Young girls	They are enrolled after the age of six
Children of low-income groups	Most attend public schools

Children in rural areas	A high proportion enjoy the benefit of education
Physically or mentally disabled	There are special educational homes which cater specifically for children in this category
Children of immigrants	No precise information is available
Children of migrant workers	No precise information is available
Children from linguistic, ethnic, religious or other minorities	Their customs, religious beliefs and other special characteristics which distinguish them from other groups are catered for, as is the case in the southern States.

113. Education at all levels is equally available to everyone without distinction. The Government encourages families to register their children in pre-school education.

114. Instruction at all stages of education in the Sudan is in the Arabic language, which is the country's main language. Various foreign languages, such as English and French, are also studied.

115. Given that teachers provide the main practical input in education, they must be carefully selected from among the top graduates with the knowledge, moral character, personality and training needed to guarantee a high standard of practical, professional and behavioural skills.

116. The teacher's pay system was modified in line with training standards, level of responsibility and professional status in order to ensure continuation of the open-ended incremental system.

117. Medical and economic facilities at the federal and State levels have been established for teachers.

118. Teacher training institutes have been developed into university faculties which specialize in producing graduates who will work as teachers in the basic stage. The number of education faculties in universities has also been increased.

119. The Government encourages initiatives for the establishment of educational facilities with grass-roots support, particularly in villages and rural areas, where some 30 per cent of schools have been established by means of such support. The Government supplies the land and furniture needed for these schools, as well as the necessary technicians and teaching staff.

120. The State receives assistance from the United Nations with a view to the realization of the right to education. Such assistance, however, is only modest and therefore fails to fulfil its intended purpose.

Article 15

Paragraph 1 of the guidelines

121. The legislative measures aimed at realizing the right of everyone to take part in cultural life are based on protection and promotion of the Sudanese national heritage exemplified by cultures and customs, fine traditions and exemplary moral conduct, and the guidance provided by worthy human principles and values and national options.

122. The Government encourages special initiatives by grass-roots institutions and adopts projects which further development. The funds used for cultural development are included in the general budget.

123. The following institutions have been established to promote the participation in culture by all social groups, including groups involved in independent initiatives, and to further cultural creativity: the Sudanese Cultural Institute; the National Museum of the Sudan; the National Theatre Troupe; the National Library; the National Theatre; the National Film Centre; the Central Publishing, Distribution and Advertising House; the Centre for Recording and Documenting Sudanese Life; the Sudanese Anthropological Museum; the Sudanese-Chinese Hall of Friendship Cinema; the Youth and Children's Palace Cinema; the State Cinema Institute. This is in addition to foreign cultural centres, such as: the British Council; the French Cultural Centre; the German Goethe Institute; the Iranian Cultural Centre; the Libyan Cultural Centre; the Iraqi Cultural Centre.

124. International music and song festivals are also organized on an annual basis to reflect the cultural heritage of the different tribes of the Sudan.

125. The Sudan is endeavouring to strengthen international détente, promote development of the national cultures of different communities and devote special attention to building a spirit of cultural dialogue between all groups and generations.

126. The Government of the Sudan attaches particular importance to promoting cultural awareness of the different communities and minorities, as clearly reflected in the establishment of national and State cultural centres and the National Popular Arts Troupe comprising members of the different tribes and minorities of the Sudan.

127. In a vast country such as the Sudan, which has a diversity of interactive cultures and ethnic groups and which suffers in common with other third world countries from a sharp divide between urban and rural areas, the information media should play a complementary role by providing culture, education and leisure and creating a link between these different cultures.

128. National Antiquities Board is responsible for preserving and presenting the cultural heritage of the country's various ethnic groups as something of human value that should not be overlooked. This heritage is on display in several museums, including the National Museum of the Sudan, the Museum of Natural History and the Ethnographic Museum.

129. The Sudan is a member State of the World Intellectual Property Organization. Article 4 of the Copyright Protection Act provides for the protection of any original creative work of literature, science or display such as written, illustrated, coloured and decorative works.

Paragraph 4 of the guidelines

130. The vocational-related study of culture and fine arts was introduced as a subject at all stages of education in the Sudan, starting at the basic stage and continuing through the intermediate stage to the final stage of university arts faculties. There is a college of fine arts at the Sudanese University for Science and Technology in Khartoum.

Paragraph 5 of the guidelines

131. The Sudan is endeavouring to strengthen cultural, trade and artistic cooperation with all countries, as well as to further integration with them and coordinate facilities. It is also seeking to facilitate global access to knowledge and modern culture and to assist the dissemination of scientific and cultural knowledge on equitable bases that preclude any monopoly over its key resources and that also allow its benefits and applications to be used in the interest of the human race without discrimination amcng its peoples.

132. Efforts are ongoing to find new opportunities for scientific and cultural cooperation with all countries, particularly those which are more advanced.

133. The provisions of article 8 (a) of the Copyright Protection Act of 1995 stipulate the lifelong protection of the literary rights referred to in article 6 of the Act. The provisions of article 6 (5) of the Act also stipulate that royalties received for a work continue to be protected throughout the author's lifetime and for 25 years from the date of his death.

134. Pursuant to the provisions of article 13 (1) of the Copyright Act, when an author dies, his literary copyright devolves on his legitimate heirs, unless bequeathed in his will to other individuals or specific organizations.